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Mussolini—A Character Study

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The writer of the following article was formerly staff correspondent of The Associated Press in Italy, and was in close daily contact with the entire political situation in that country. He met Premier Mussolini or was in his company on innumerable occasions, had many long talks with him, and was responsible for several important interviews with the Premier. Mr. Winner accompanied Mussolini on his visit to Tripoli in the Spring of 1926, and was in daily contact with him for nearly three weeks. Besides having these opportunities for first-hand observation of the Italian Premier, Mr. Winner was also acquainted with and interviewed other leaders of the Government and of the Fascist Party and penetrated the inner political life of present-day Italy with a thoroughness impossible to most foreigners.

IS Benito Mussolini a "great" man? To the legion of distant spectators of the Italian political scene, he must seem "great," for good or for evil, perhaps, but Napoleonic in stature. At closer range in Italy, where his faults and virtues are inextricably mixed to make a human being, neither superman nor demon, his "greatness" is not quite so manifest. Thoughtful foreigners resident in the country and in daily contact with its political life express doubts and are able to justify them.

Taking external achievement as a measure of internal quality, the man must be conceded some of the attributes of greatness if only because Italy today is more Mussolinian than Fascist, her political motive force emanating directly and constantly from the personality of her Dictator. He—his person and activity—constitutes three-quarters of the body and blood of the Fascist régime. Fascism succeeds not as a theory, a system, a régime or a government, but as a corporeal projection of a successful personality.

Surely this is greatness of a sort. Here is no ordinary ambitious and able politician skillfully manipulating men and utilizing opportune situations to attain power. An artist in the use of millions of human beings as tools and a nation as a canvas, the Duce rises so far above the typical politician or even dictator as to defy definition. He presents the spectacle of an extraordinary personality with colossal force of will and gigantic necessity for vital expression successfully harnessing an entire people to the cart of a vicarious self-expression.

Italy is strong, full of vigor and activity in proportion as she has been incorporated into his personality. Incapable of the disinterestedness of true patriotism, he does nothing *for Italy*; he absorbs the nation and then works for his enlarged self. Nor is she his first meal. Pre-

viously he had consumed the Socialist Party, the Fascist revolution and régime, each representing a goodly increase in his Gargantuan appetite. On the face of it, his capacity is unlimited. Certainly Europe will not escape through lack of appetite.

Millions of Italians are not Fascists, comparatively few not Mussolinians. Even those who loathe him, even courageous patriots convinced that he is leading Italy to inevitable catastrophe, are powerless against him. Physical and moral intimidation does not suffice to explain the lack of a true opposition movement. He paralyzes opposition. Why, no one knows. But the idea forms the basis of a Mussolini legend, deliberate creation of which is no trifling testimony to his genius.

With Fascist Italy so intimately connected with the man Mussolini, with its vital energies excrescences of his personality, it is reasonable to assume that the nation would bear an exclusively, or at least markedly, Mussolinian imprint. It should be at least partially the product of his creativeness and originality. Innovations, new laws, alterations in political theory and social organization and all the other elements of metamorphosed Italy should reflect the great man's mind.

Here doubt of Mussolini's greatness must begin, for, strangely enough, his creative influence seems to be as absent in the productive thought of the nation as it is omnipresent in her external activity. Even in the most quintessentially Mussolinian formulæ, even at the bases of the pillars of the edifice he has raised, seemingly with his own hands, there is scarcely more than borrowed material—borrowed with due credit, it should be added in this case, for Mussolini has acknowledged his great debt to four "spiritual godfathers," William James, Sorel, Nietzsche and Machiavelli, although he has never made clear the precise nature of the obligation.

The "greatest man in Europe" inherited his socialism and proletarianism from his father, a blacksmith, who taught him from his



International.

Mussolini in one of his poses when addressing a crowd. This photograph was taken when he recently spoke to a Fascist labor union gathering in Rome

earliest childhood to be proudly "class-conscious." Alessandro Mussolini was, perhaps, the most important spiritual godfather.

From Sorel, one of the writers to whom Alessandro introduced Benito, the future Dictator learned that doctrine which was to become the cornerstone of his entire public career, "justified violence." From him, too, he learned the technique of the revolutionary general strike which was later to evolve into the technique of the pre-"March on Rome" days between 1919 and 1922.

From Sorel and other Syndicalists Mussolini took outright Fascism's loudly heralded innovation, the "corporative State," another form of which is now being experimented with in Soviet Russia. In both cases, productivity is the basis of suffrage and in both the class war between labor and capital is suppressed in the superior interest of the State, in Russia a proletarian State, in Italy a capitalistic one.

Not only did he borrow the theory, but he later accepted unearned credit for its realization. Edmondo Rossoni, whose name is seldom heard nowadays, almost single-handedly developed the Fascist labor organization which made possible the corporative system and the "Charter of Labor."

William James taught Mussolini the pragmatic criterion, utility, and "that truth is made, just as health, wealth and strength are made, in the course of experience." He permitted him to harness a philosophical justification to his chariot.

INFLUENCE OF NIETZSCHE

Mussolini's "will to power" and his anti-Liberal, anti-Democratic theory of aristocracy come textually from Nietzsche, although, by the Jamesian method, they were tested by experience. Writing in the trenches on April 7, 1916, the future Dictator noted "that state of spirit which sums itself up in the term 'morale' is the fundamental coefficient of victory. * * * He will win who wants to win. He will win who has the greatest reserves of volitive psychic energy."

Need one trace Mussolini's debt to Machiavelli? Need he have absorbed the Florentine's thought to learn that power is the sceptre of an Italian ruler, that faith and friends are dangerous toys, that only strength guarantees security? Perhaps not, but certainly he would not have acted as he did on various occasions had he not accepted Machiavelli's warning, "He who creates a tyranny and does not kill Brutus and he who creates a free State and does not kill the children of Brutus will endure but a short time."

Nor do Mussolini's wholesale, almost undigested, borrowings end with these broad tendencies of thought. Every step in his mental evolution can be traced to one or more external influences. He borrows an idea or culls one directly from personal experience and then makes it the cornerstone of a new twist of his "philosophical system." Each movement forward is a change, not a growth; each finds justification in an event which, at the time, is always considered more important than the last preceding about-to-be-abandoned idea.

MANY CHANGING ATTITUDES

Socialist, anti-German neutral, interventionist, irredentist, apostle of lukewarm nationalism and propagandist of the "great Italy" follow each other in rapid succession. He hated Germany and Austria because they "oppressed the workingman." He approved Italy's intervention



Mussolini, with arms on hips, photographed during his visit to Tripoli. Mr. Winner, the writer of this article, stands next to the officer at right of Mussolini in the photograph

in the war in terms of the current propaganda of the "war for justice and liberty."

His irredentist formulae he took from martyred Cesare Battisti and from men he had met in Trent. War victory made him a nationalist. In July, 1919, still nominally a proletarian, he began to make the next shift. "I am," he said, "a revolutionist and a reactionary. At bottom all life moves in this rhythm."

During the embattled years from 1919 to 1923 Sorel and Nietzsche guided his thinking. Even his overwhelming hatred of Parliamentarism came partially from his experiences in the talky radical ranks. His slogan, "Order and discipline," was not exactly original. Had he not just come from the trenches? His decision to make a thrust for

power from the Right instead of the Left had no support in ideology. It was a shrewd guess, partially based on the belief—later to be fully realized—that the great industrialists of Northern Italy would furnish essential material aid.

Can Mussolini be creatively sterile? Can his dynamic energy hide intellectual poverty? Whatever the answers to these questions, all evidence points to the fact that the Dictator's mental force springs primarily from ability to borrow others' creative thought—often without due credit—and from a marvelous facility at making others think for him.

DEPENDENCE ON ADVISERS

This defect is not unknown to those who have had opportunities to work with Mussolini. Persons who have known him well in obscurity as well as fame, in youth as well as maturity, remark cryptically "a man of the last adviser." But, they add, "a man with uncanny adroitness at accepting advice in a fashion which makes it seem the confirmation of his own thinking."

Fascist Italy of today seems to live within the brain of the Duce. Only after he has spoken does it know what to think, feel or do. Newspaper comment, for example, must on all important occasions have the Prime-Ministerial *placet*. No official at the Chigi Palace or at the

Viminale knows his own mind in the early morning hours before Mussolini has arrived.

To the uninitiated this voice with the quality of divinity, commanding obedience, crushing opposition and brooking no tepidness, speaks the mind of Mussolini. But those who have listened long and carefully detect in it the words and ideas of others. In the first place they know that nothing truly creative, profound or analytical comes from Mussolini himself, since contact with the man, even brief contact, reveals several outstanding characteristics.

He is intuitive, but not profound; he has tremendous exploitative and organizing ability, but puerile analytical powers; he is forceful, but inconsistent; impetuous and at times incoherent, he is intelligent, but has no intellectual gifts; he has the imaginativeness of the Latin, but no broadness of vision.

In making a decision, planning a campaign or elaborating an innovation, the Premier relies for intellectual propulsion upon others. He uses an almost ritualistic procedure.

THE MEN WHO HELP

There are at any given time scores of men ready to answer calls for schemes or advice. Usually some elaborate national or party project is afoot; irons are always in the fire. The Duce chooses either to concentrate on some already launched project or to start something new. In the former case word of his desire is circulated. Advisers flock to his aid. He listens to all, picks one and then causes to be issued a national announcement to the effect that he has decided to take "another step toward Italy's supreme goal."

The successful contender for his ear rarely is chosen outside the ranks of faithful Fascists. In the latter case choice is guided by whim and may easily fall upon obscure persons. Should the advice or scheme have any risk, Mussolini moves slowly, accepting no responsibility, although privately encouraging its sire to test it. Failure means oblivion, but should there be success, the Duce accepts parenthood, while the blood parent is compensated liberally but secretly.

A stream of advisers constantly passes through the Chigi Palace. Mussolini's mind is pigeonholed with their schemes. At opportune moments, mysteriously, they are brought to light as the Master's own. Here lies the explanation of his marvelous versatility, of his reputation as the ultimate expert on every conceivable subject. Few of the exploited persons object. It is so useless. No one would believe them or dare to sympathize openly with them. Besides, they are well cared for and vicarious fulfillment is better than none.

This method is by no means confined to minor matters. For example, immediately after the Matteotti crime had rocked the Mussolinian edifice to its foundations in the Autumn of 1924, who was it who put forward the idea of dropping all semblance of legality and of re-adopting *squadrist* (gangism) to crush the Opposition? Was it Mussolini? No. He vacillated and feared to act until Roberto Farinacci had taken the initiative and clearly demonstrated the efficacy of the method.

Then, after Farinacci had accomplished his task, perhaps too well for his own political health, who was it who discovered that the time was ripe for the "integral State"? Not Mussolini, but Alfredo Rocco and Luigi Federzoni, veteran Nationalists of the Maurras-Daudet-*Action Francaise* school.

Rocco, Federzoni and Rossoni are the fathers of the Mussolinian

Fascist State. Rocco furnished a slightly altered neo-Hegelian dogma which sees the State as synonymous with a national segment of world society, in which popular sovereignty disappears and in which the executive swallows up the powers of the legislature.

Rossoni inserted corporativeness, although in a struggle with Rocco to soften the ultra-nationalistic complexion of the Corporative Laws he was defeated. Rocco's draft was accepted instead of his.

Federzoni, the neo-Metternich of Italy, the aristocratic despiser of the rabble, furnished the elaborate espionage and "defense of the State" system. Mussolini's role in crushing the nation's libertarian institutions was confined to delivering tirades of invective against liberty. Federzoni systematized the suppression of liberty and helped Rocco work out the ultra-centralized system of control from Rome.

VOLPI, FASCIST FINANCIAL GENIUS

Later, Count Volpi, the financial genius of the Fascist régime, came upon the scene, and men like General Di Giorgio, War Minister, and Alberto de Stefani, Finance Minister, left it because their schemes, having turned out to be far from triumphant successes, could not be accepted as Mussolinian.

Although he alone was able to make effective each step in the construction of the Fascist State, Mussolini had but a trifling part in the thinking which made them possible. It is unlikely that he had ever read the works of Pareto and Oriani, whose theories of nationalism helped create the element of semi-religious inviolability of the Fascist State and the deliberate semi-divinity of its Prime Minister.

D'Annunzio at Fiume gave this tendency its first tangible impetus and the Nationalist theoreticians completed the work later on. D'Annunzio, too, had the fortuitous idea of clothing his légionnaires in the black shirts of the *arditi*, the wartime shock troops. Federzoni, at about the same time, put his nationalist forces in blue shirts, abandoned when he joined the Fascists.

Watching closely Fascism's strides, one can discern, sometimes vaguely, sometimes distinctly, the sires of each plan or idea. Mussolini alone can hold the wheel, but he cannot chart the course.

MUSSOLINI AND THE KING

Here is a perfect extravert, a man always moving into his environment, never into himself, taking and transforming, but never giving. He has no friends, no allies, no collaborators. He is alone on the Mussolinian plane. All others are lower, aides or assistants. Even in his relations with the King, there is a schooled air of condescension.

An uncanny skill at maintaining an illusion of aloofness, creating an abyss between himself and his companions and hiding himself in a cloak of impenetrable mystery, balances a total lack of introspective sense of humor and an inability to analyze or criticize himself.

No one, not even Federzoni, the heir-apparent, nor Grandi, the most favored protégé, has the right to true confidences. Ideas and intentions of the Master are deliberately surrounded in a sea of mystification until he deigns to make them known. If one slips accidentally into the light of day, Mussolini is quite capable of abandoning it for that reason alone. Those who try to ingratiate themselves into his confidence fail and pay heavy penalties. Those who trust appearances suffer. A recent incident proves how foolhardy it is to take any of his intentions for granted.

Several prominent Socialists of the moderate wing of their party were surprised to discover through indirect intimations that the Premier, despite their avowed opposition to the régime, was interested in their cooperation with him in certain social reforms in which their technical competence would be useful. In so clearly a technical matter it appeared certain that Mussolini was temporarily dropping political barriers.

A TRAP FOR SOCIALISTS

Hence they visited him, and the account of their reception, published in all the newspapers, caused a flurry of interest, especially since it did not refer to the subject matter of the conversation. The Socialists then waited for a signal to begin their work, but none came. Instead, the press began subtly insinuating that they had been "bought off." Finally they understood they had been caught in a trap. Mussolini's sole purpose in receiving them had been to compromise them in the eyes of their fellow Socialists and thus to destroy them politically.

Most honest observers of Italian affairs agree that, without Mussolini, the Ship of State would be endangered. The régime, like all dictatorships, particularly Italian ones, reeks with personal hatreds and rivalries. Unbelievably sharp cleavages of opinion exist behind the calm façade of apparent unity. Mussolini guarantees smoothness of operation so long as he guesses correctly in choosing whose plans to utilize.

Does he attempt to reconcile feuds between his henchmen? If they come into the light of day; if they tangibly endanger apparent unity, or if they reflect upon his powers of command, he does, but otherwise he prefers tacitly to foster them. Men fighting against each other are, according to Machiavelli, less dangerous than those likely to combine against you. Hence the long-standing serious split between the Intellectualist and Populist factions in the Fascist Party has far from disturbed Mussolini.

Is he training men to succeed him? The answer must be an emphatic negative. To be a potential candidate for the Mussolinian toga is as much a political suicide in modern Italy as being a candidate for the Caesarian toga was on occasions in ancient Rome. Farinacci learned this in 1925 and Federzoni would have in 1926, if he had not been invaluable.

THE DICTATOR'S YOUNG MEN

Mussolini surrounds himself with young men, pleasant and able young men, but all one-sided, useful for specific purposes and not dangerous. Bottai, Balbo, Grandi, Melchiori, to mention only a few, might make good Deputies, but there is no Caesarian material in any one of them. There is not a single man in Italian public life capable of bridging the gap between Nationalism and Syndicalism and between the Intellectualists and the Populists, and Mussolini does not seem to be looking for one.

The Dictator has little power of concentration. Fascism's recent history abounds in splendid beginnings never carried to full realization. Its supreme chief, by nature a man fitted only for action, loves the boom and blare of new starts as much as he loathes the boredom of the less sensational later steps. "He loves to rule on horseback," the Romans say.

His activity has the regular irregularity of certain fever charts. A new "stunt" every fortnight or month, to be abandoned soon afterward through boredom, a change in adviser or greater interest in the imme-

diately following project. Within the brief space of several months he started an economic "battle" to increase exportation in order to reduce the adverse international trade balance, and a financial "battle" to increase the value of the currency. Each scheme was laudable, but the two were mutually contradictory, the improving currency having the effect of weakening exportation power. Advisers had been changed between the two battles. The case is typical.

MUSSOLINI'S "BATTLES"

A list of Mussolinian battles would make a long war. A Roman newspaper some months ago tabulated thirty still-born beginnings in the "battle" for the improvement of national art. Of course some of them were nothing more than conscious efforts to attract attention.

The inconsistency of Fascist foreign policy, with Grandi, a mere youth of 33 acting as Under-Secretary of State for Foreign Affairs with the powers of Director General of the Ministry, was the despair of European chancelleries until Mussolini some time ago definitely gave himself into the hands of the out-and-out Nationalists. Now he changes his advisers often, but they are all of the same school; men like Coppola, Forges-Davanzati and Gayda.

In financial affairs Volpi does all the thinking. On one occasion Mussolini insisted upon thinking for himself. Anxious, largely through vanity, to keep the lira higher than the franc, he ordered measures for the rapid revaluation of the lira. Simultaneously he announced that there would be no artificial stabilization. After the policy had reaped its full share of disastrous results, Volpi, supported by American bankers, induced him to permit stabilization at the rate of 90 lire to the pound sterling.

Mussolini is tremendously sensitive to foreign opinion, particularly that of France and England. He devours newspapers and magazines. He frequently makes decisions on the basis of foreign opinion, regardless of other factors. The ridicule of a certain section of the French press never fails to infuriate him and often causes him to order the press to make Italian mountains out of French molehills.

GROWTH IN PERSONAL CONSERVATISM

Frequent changes in advisers and inability to concentrate necessarily prevent continuity. This, however, is hidden to some extent by a more or less consistent growth in personal conservatism. In him, as in many other former radicals, the process of maturity stimulated by copious draughts of the delicious wine of authority destroys youthful revolutionary tendencies.

It is not easy to estimate even in the most imprecise fashion at this time the part personal ability has played in Mussolini's success. Certainly he was "the right man at the right time," but he was also the only right man. Italy needed her *uomo* and Mussolini intuitively realized that she did. This he has said scores of times in public utterances and writings.

Two factors undeniably contributed to his success in seizing and in holding power: First, the political apathy of the vast majority of Italians, their hearty disgust with disorder and their readiness to yield to strong-arm methods; second, the weakness of his opponents and their inability to face the historical realities of their position.

Mussolini was not alone in realizing that national unity could be saved only by crushing extreme radicalism. But he alone was willing

to resort to extra-legal methods. He alone was willing to continue the war of 1915 beyond 1919 and was not fooled by the illusion that the Italian people wanted "any kind of peace at any price."

Nor was the insistence upon constitutionality the only weakness of the Liberals and the Socialists. They had no real leaders. Giolitti, Orlando, Salandra and Facta were nothing more than Parliamentary tacticians, while Amendola and Sturzo did not have the ability of command.

THE ASSASSINATION OF MATTEOTTI

Matteotti was the only opposition leader strong and able enough to fight Mussolini on his own plane, and he had hardly appeared before he was done away with. He was murdered less than a week after he had openly defied Mussolini in the Chamber.

One of the Duce's seldom contested claims to fame, if not to greatness, is his apparently inexhaustible vitality, his constant and tireless activity. He is everywhere, sees everything, knows everything. No detail of his country's affairs escapes him. His working day is seldom less than ten hours. Often it exceeds eighteen. His vigilance never relents.

This—the cornerstone of the Mussolinian legend—is superficially true, just as the other element in the elaborate myth surrounding the man—that he is personally and exclusively responsible for all important decisions—has the external appearance of truth.

Yet no honest observer can avoid noticing that most of his activity and a remarkably large part of his time are dedicated, not to steering the ship, but to keeping the captain in places and at tasks which will allow him to be seen easily.

Any one but Mussolini could be excused for being inattentive to the hopelessly dull proceedings of the Italian Chamber of Deputies. But against the background of his own pretensions of attentiveness, the obvious fact of his disinterest looms strangely. He fingers a flower, scowls and smiles by turns, crosses his arms, gazes vaguely *through* a few Deputies, looks attentively at the visitors' and press galleries, and does his best to say by dumb show: "All this is a joke. I am the sole valuable reality here. Only I am fit to be noticed or heard."

A MASTER AT POSING

Mussolini is posing. He is a master at posing whether before one, a thousand or a million watchers. His skill is tremendous and seldom fails him. His bag of tricks is inexhaustible.

Perhaps it is true that he acts to satisfy the appetite for drama and melodrama of the Italian people. Perhaps his posing responds to no personal need, but is a concession to the exigencies of his peculiar position. Unquestionably millions of persons, not only in Italy but abroad, are captivated and disarmed by his consummately effective histrionics.

Mussolini is seldom too busy at affairs of state to receive personal visitors, particularly from abroad. School teachers from Australia, distant relatives of English peers, American business men, Boy Scouts from Hungary, poets from the Far East, anybody and everybody who desires to stand in the August Presence is warmly received. Every day at the Chigi Palace has its quota, often four or five hours, of these callers. In addition, there are countless faithful Fascists who come to pay homage.

A battery of cameras stands ever ready to fix for posterity these memorable occasions. Cameras, dozens of them, follow the Premier wherever he goes. As he moves, he takes pains to give opportunities for

good photographs. In the "movie idol" fashion, he signs thousands of photographs for callers or for persons who beg for them by mail. He is the most photographed man on earth.

DRESSING THE PART

Nor is he the passive victim of the world's adulation. Every few months sees the creation of a new and more splendid uniform for him with plumes, braids, spangles and shiny buttons. His "stunts," once confined to politics, grow more personal. He rides horses, fences, drives his "powerful Alfa-Romeo" motor car, takes jaunts in aeroplanes and motorboats, and after each excursion there is a deluge of photographs and of newspaper articles.

The Mussolinian legend is jealously guarded. He is never ill or tired. The serious duodenal ulcer which kept him in bed for fifty days was dismissed as a trifle. No newspaper was permitted to say that for more than a year he virtually lived on milk and crackers. In his eyes there was something unvirile about such a diet. But he saw something dignified and fine about his endlessly described simple food and abstinence from tobacco and strong drink.

He has carefully cultivated mannerisms replacing the scowl which, until a year or two ago, was featured in all of his posed photographs. He holds his head well back with the massive jaw swung up and out. He clenches his left fist and rests it on his hip with his legs wide apart. He walks slowly swinging his haunches.

He adores publicity and gloats openly, childishly, in the interest he produces. His first questions to the visitor from afar are: "What do they think of me in your country?" and "What do you think of the new Italy I am making?"

He uses tricks of stage management to create desired impressions on callers, sometimes cordially walking forward to greet them, sometimes forcing them to advance across the entire length of his huge office to find him, tense-faced and stern, behind his desk. A line could be drawn between his desk and the door with indications of the probable quality of the reception, enthusiastic near the door and frigid at the desk.

MUSSOLINI'S COLOSSAL VANITY

Mussolini is simultaneously profoundly suspicious of flattery and tremendously susceptible to it. His vanity is colossal.

One day when a distinguished visitor had called at the Chigi Palace, one of the officials sent Mussolini his request for an audience with the scribbled notation, "I think Your Excellency should see this man." Without even reading the name of the caller, the Duce wrote across the sheet in large letters, "I do not."

I have come in contact personally with Mussolini's vanity. One day, in Tripoli, Mussolini, walking across an open field, plucked a small flower and strode slowly forward, holding the flower to his nostrils and drinking in its perfume. I, a few steps behind, plucked another flower of the same kind from the same bed. It had absolutely no scent.

A well-known American writer, having been granted a short audience with Mussolini, asked me how he could prolong it. "Flatter him in the first three minutes," I advised. The writer, after the first question and answer, remarked to the Duce: "I think you made a great mistake when you abandoned literature. I have read some of your work and find it excellent. You should have remained a literary man. You

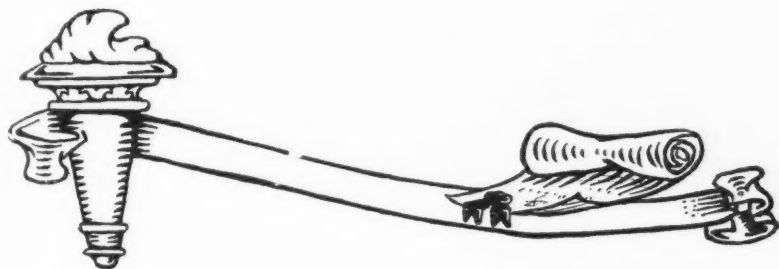
would have been a great one." Mussolini talked to him for fifty minutes.

STORY OF AN INTERVIEW

In the summer of 1920, having been granted an interview with him, but having learned that its text would be written, as is the case with many Mussolinian articles and interviews, by one of the attachés of the Press Bureau, I secretly asked permission to write it myself. I produced 3,500 words of what I considered Mussolinian text and submitted it. A few days later it was returned to me, approved, somewhat reduced in length but otherwise unchanged. The next day Mussolini received me. His first words were: "I have given you a long and important interview, one of the most important I have ever given an American." No one told him I had written it. No one dares to tell him half the truth of what is daily going on in Italy. Anything which can be interpreted as a complaint or a suggestion may mean instantaneous dismissal.

Nothing can attest better to Mussolini's appetite for flattery than the fact that daily for years he has been in contact without nausea or even annoyance with a never-ending stream of cringing, fawning men. He has seemingly been unaware that thousands of men have lain awake nights thinking of means of reaching him with adroit adulation.

Mussolini's vanity and *maladif* fear of ridicule, however, cover a very real, a very sensitive, warm and lovable personality which shows itself at rare moments and which it has been my privilege to know. The rare moments come when he forgets that he is alone against the world. Then he is tired and haggard or, more often, boyishly affectionate, kind and human. One day in Tripoli, after we had crossed many miles of desert, Mussolini was conducted into an experimental horticultural station. By chance, I was at his side when suddenly he found himself surrounded by beautiful flowers. "Flowers," he exclaimed; then turning to me, added, his face shining with pleasure: "What joy, to think I may be helping to bring flowers from the desert."



Manchuria, International Battleground of the Far East

By NICHOLAS ROOSEVELT

Author of *THE RESTLESS PACIFIC*

MANCHURIA, aptly described as the "Belgium of the Far East," has been the battleground of international rivalries for a half century, and promises to be so for years to come. Today the principal rivals there are China, Japan and Russia, with the last named for the moment in the background.

Although outside the Great Wall of China and originally a separate country, Manchuria is today a part of China, and is so recognized by the Powers. To be sure it has what might be termed a detached status, for although Chinese exercise the rights of sovereignty the Japanese, for all practical purposes, control it. But all efforts of the Japanese to have Manchuria recognized as a legally separate entity or as an autonomous State have failed.

The Russo-Japanese War was fought for the control of Manchuria. Russia, seeking a harbor at Port Arthur, was pushing her military and economic penetration from Siberia southward. Japan, seeing in this a menace to Korea, and so to her own ambitions, resisted the Russian encroachment. By the terms of the Treaty of Portsmouth Japan obtained control of what is now called the South Manchurian Railway, which she extended and improved, and which has been invaluable in opening up the economic resources of Manchuria and in facilitating Japanese supervision of that region. It has been the consistent policy of Japan to maintain the railroad in first-class condition, to encourage colonization so as to increase traffic, and to preserve peace at all costs so that Manchuria would not be exposed to the ravages of civil war which have impoverished the rest of China.

THE RUSSO-JAPANESE TREATY OF 1907

In 1907 Japan and Russia entered into a secret treaty delimiting their respective spheres of influence in Manchuria. During the last few years the Japanese, taking advantage of Russian military weakness on the Manchurian border, have steadily pushed northward their sphere of influence and have financed the building of railroads to drain territory in the Russian sphere. The Russians have tried unsuccessfully to circumvent this.

Japan's ultimatum to the Chinese warring factions that she will not tolerate fighting within Manchurian territory is ostensibly an infringement of China's rights. But it must be borne in mind that in so far as the welfare of the many millions of Chinese who have settled in Manchuria during the last half century is concerned it will be a blessing if the war is kept out. Incidentally, the increase in the number of Chinese residents in Manchuria has been so great—the population in 1880 was estimated at 9,000,000 and in 1926 at 26,000,000—that when the time comes for China to force out the Russians and the Japanese she will have little trouble in so doing. In the meantime Chinese citizens are profiting from the construction of railroads and the opening up of the country which has been made possible by the Japanese and the Russians. China will, in time, fall heir to these improvements.

Manchuria, a New Homeland of the Chinese

By C. WALTER YOUNG

FORMERLY INSTRUCTOR IN POLITICS, UNIVERSITY OF MINNESOTA, AND TEACHER IN JAPANESE GOVERNMENT SCHOOLS; WILLARD STRAIGHT FELLOW IN CHINESE STUDIES

WHILE several international conferences were considering ways and means of stimulating emigration from people-saturated places of Europe and Asia to those regions where man's advance on nature has but begun, a million Chinese in twelve months, quite unmotivated by those weighty deliberations, moved out of Shantung into Manchuria. The ultimate economic and political implications of their migration, aside from their personal desire for protection of life and some better assurance of livelihood, meant to them simply nothing. By force of compelling circumstance, a combination of famine, overpopulation, extortion and terrorism, these Chinese have migrated to Manchuria in such numbers as to make of the movement a phenomenon unprecedented in the whole period of modern history. What results the migration is likely to have it is therefore important to consider.

Manchuria, termed by the Chinese *Manchou* or *Tung San Sheng*, the Three Eastern Provinces, comprising Fengtien, Kirin and Heilungkiang which lie beyond the Pass, meaning outside the Great Wall at Shanhaikuan, during the past five years has received about 3,000,000 immigrants, principally from Shantung and to a lesser extent from Chihli and other provinces. By 1923 the annual influx had mounted to 300,000; in 1926 it was twice that; and then came the deluge. The only creditable efforts to preserve figures and facts of this migration movement have been made by investigators of the two principal Manchurian railways, the South Manchuria Railway and the Chinese Eastern Railway. The results of their constant attention to the subject, published only in Japanese and Russian incidentally, show that no less than a million Chinese came from across the Gulf of Chihli in 1927. But it is apparent from the present congestion of these immigrant refugees at Dairen, for example, that perhaps 2,000,000 of these usually destitute exiles from their ancestral homes will have come to Manchuria before the present year comes to an end.

500,000 ARRIVALS IN A YEAR

Throughout the months of the past year in throngs averaging well over 1,000 daily, but often 5,000 or more, they have come ashore at Dairen from steamship and junk to a total of nearly 500,000. I have often observed a thousand or more of them, men, women and children, decrepit grandmothers with infant grandchildren in their arms, bent old grandfathers with their necessarily small share of the family chattels packed on their backs, all of them filing down the gangplank of a single steamer lately arrived from Tsingtao, or perhaps from Chefoo, Lungkou or Tientsin. Medical inspection over, tagged, herded and urged, but never inhumanely, they are directed by the Japanese wharf police to the Chinese quarter of Dairen. There for a night or more in inns, where lodging may have been procured for them by the Shantung Guild, their fellow provincials in happier circumstances, they await some opportunity to be carried north into the Promised Land. Failing this, and it is in

the majority of cases, they walk, some to Changchun over 400 miles distant, others even to Harbin. Among them are the women and children, now a fifth of the annual total, a fact which points very definitely to permanent settlement in Manchuria.

This movement of Chinese to Manchuria with the intention of permanent settlement is of peculiar interest for in the main, the *emigres* are of the farmer class of Shantung. The attachment of the Chinese farmer to the ancestral soil is profound, for

to worship his manes there is the most sacred obligation of his life, to be buried there his fondest hope. To break that tie is to court disaster. Moreover, the traditional and communal ties of his native district, the group sanctions which both bind and bolster him, are to him paramount. If to undertake "grievous toil in the wilds" is to dissociate himself from them it is to be un-Chinese, than which for a Chinese there is no greater crime. The fact of 1,000,000 of them leaving for Manchuria in a year, of whom perhaps half will not return at least for many seasons, many of them never, some of them in wooden boxes by the ancient cart route through the Pass at Shanhaikuan, suggests at once that there must be very urgent reasons for the migration. Urgent reasons there are, indeed, for besides the struggle for existence, which in Shantung is severe enough in normal times, there is the present famine.

The awful famine which is now waging bitter war with human life in Shantung is the severest the province has suffered in recent years. It recalls the ravages of the terrible Shansi famine of 1877-78, parallels the cheapening of human, especially young female, life in 1898-99, and produces the same results as the famine of Shantung in 1911, an exodus to Manchuria. But the present famine is far worse than that of 1911, though the details would carry less credence were they not contained in a recent official report of the China International Famine Relief Commission. One-half of the districts of Shantung are suffering in consequence of crop failures; in many districts the crops were never harvested, and during the past Spring those fields were abandoned. The inevitable suffering has followed. Those with the necessary means are



Map of Manchuria and adjoining territories

leaving, in one district over half the population already, for Manchuria. Add to this the insecurity for life and property produced by bandits and soldiers of the same ilk in long-suffering Shantung, the confiscation of property, the bleeding of the peasantry through arbitrary taxation and extortion, the evils of a hyperinflated military currency, and the total is the explanation of the swelling of the tide of immigration to Manchuria from 500,000 in 1925 to 1,000,000 in 1927. But underlying the whole is that factor which for many years has been the cause of a seasonal migration of male laborers to Manchuria, the basal overpopulation of Shantung. Shantung is one of the most densely populated provinces of China—not all China is overpopulated—and is eight times more densely populated than Manchuria as a whole, and perhaps twenty times more than Heilungkiang, to which so many of the immigrant refugees are now going.

Until the last three years the migration of Chinese to Manchuria from Shantung had been rather in the form of a seasonal labor movement than one of intending colonists. But always a smaller percentage remained, some of them to settle in frontier areas, some to conquer new lands with plough and mattock. Certainly the most striking phase of the movement before 1925 was its "Spring come, Autumn go" character. In the great majority of cases the men left behind them their families. Manchurian agriculture which, particularly in the Northern regions, is characterized by larger land holdings than in Shantung, required extra seasonal laborers. Likewise with such enterprises as coal mining and railway construction for which laborers were actually recruited in Shantung. Their work having ended with the late Autumn they returned to their homes in Shantung, but no less from the potent influence of the desire to spend the meaningful festive season of the Chinese New Year in their ancestral homes. Hence during December and January the return movement was usually almost as great as the egress to Manchuria in March, April and May. This was the principal characteristic of the movement from shortly after the Russo-Japanese war until quite recently.

✓ EARLY CHINESE COLONIES IN MANCHURIA

It should not be supposed that these seasonal migrants labored in a country not already settled by their own race. Chinese colonization of Manchuria is not a new phenomenon; it antedates the Christian era. The first significant period of widespread Chinese settlement in Manchuria, however, corresponds almost exactly with the Colonial period in American history. The unsettled conditions in Northern China prevailing during the wars which resulted in the subjugation of China by the Manchus and the setting up of the Ching dynasty in 1644, then as now, drove hundreds of Chinese from Shantung beyond the Palisade. This steady influx, at times encouraged by the Manchu military in these Northern marches for the dual purpose of obtaining taxable subjects and of countering the Russian advance on the Amur, continued until 1776. In that memorable year Chien Lung, one of the most remarkable monarchs in Chinese history, issued an imperial edict which declared that Chinese immigrants "are forever prohibited from entrance" into Kirin province.

But neither official attempts of the Manchus to exclude the Chinese from the homeland of the rulers nor the measures taken to settle those of their own bannermen in Manchuria succeeded in checking what H. G. Wells has aptly called the "enormous powers of permeation and extension" of the "cultivating civilization of China." The story of the Manchu

attempts to preserve their motherland for their race is but an ironic record of defeat for the victorious.

During the early part of the reign of Tao Kuang (1821-1851), or contemporary with the westward movement of settlers in the United States, the valleys of the Liao and Sungari rivers were settled in part by Chinese immigrants. Then for a period of thirty years in consequence of the opening of vast tracts north of present Harbin they "burst like torrents upon Manchuria," to quote the account of that intrepid traveler, Abbé Huc, who visited Manchuria about 1845. Pressed by the struggle for existence in their home lands, "the Chinese rushed upon them like birds of prey, and a few years sufficed to remove everything that could in any way recall the memory of their ancient possessors." Mukden, the very home of the Manchus, soon became a Chinese city. The disorders created by the Taiping Rebellion, during which 20,000,000 are thought to have lost their lives, drove others to Manchuria, access to which was favored by the weakening of the imperial power in Peking.

IMMIGRATION BARRIER REMOVED

Finally, in 1878 the official barrier to immigration to Manchuria was removed and a steady stream of Chinese moved into the Three Eastern Provinces. After the Boxer Rising immigration to Manchuria was officially encouraged and the Russo-Japanese War drove large numbers of Chinese still farther north. But official or "induced" colonization in Manchuria has had meagre results when compared with that natural tendency of the Chinese farmers to migrate and colonize from independent motives.

Today one may travel the length and breadth of Manchuria from the mouth of the Liao to the Amur without finding more than the vanishing remnants of the nomadic peoples who once claimed undisputed sway over all the country beyond the Palisade. Even the Manchus are now almost completely identified with the Chinese; their language has disappeared as a medium of speech, for they all speak Chinese. The Chinese farmer by peaceful penetration has driven the nomads down the Sungari and the Amur or back into Mongolia, and those who remained he has so thoroughly absorbed as entirely to efface all characteristics and customs other than the Chinese. Of the present population of about 25,000,000 in Manchuria perhaps ninety per cent. are Chinese.

The present immigrants to Manchuria travel by two principal routes, that overland by way of the Chinese Government Railways from Shantung and Chihli to Mukden, and that by sea, either by steamer or junk, to Dairen, Yingkou and Antung. Of the latter over half the total number of immigrants disembark at Dairen, whence they proceed north to meet the other stream of colonists at Mukden.

Although there are almost none of the abuses either in the ports of departure or on the voyage which characterized the "coolie trade," especially to Peru and the West Indies in the middle of the nineteenth century, with the abuses of the barracoon, the crimp and their "floating hells" on which over a fourth often died, the whole carrying trade from Shantung to Manchuria is a generally unregulated game of competition between the shipping companies. Overloading is frequent and occasionally disastrous, while the passage rates are variable for the "coolie cargo," as it is termed. Once in Dairen, destitute as the most of them are, there is hope of relief, especially through the Shantung Guild, whose activities in assisting the immigrants furnish one of the most commendable examples of the services of provincial guilds in China today that

have come to my attention. The railways offer reduced rates for the men, still lower for the women, and carry the younger children and the aged without charge.

Of the immigrants who have come to Manchuria in the last few years the greater part have followed the route through Changchun, eventually spreading out in one great fan in the territory served by the Chinese Eastern Railway. Of the 630,000 who entered Manchuria during the first six months of 1927, over two-thirds continued into North Manchuria, a region without legal or political limits, but which may here be taken to include that part of Manchuria which lies north of Changchun, the junction of the Chinese Eastern and the South Manchuria railways. During the past few years there has been more railway construction in Manchuria than in all the rest of China, and today the mileage is about half of China's total. Naturally, the new lines have opened hitherto but partially settled regions and the immigrants tend to settle in those specific zones to which the railways are the most convenient means of access.

The inducements which Manchuria offers to the immigrants are principally those of agriculture either in labor, seasonal or permanent, or in lands, for rental or lease. Other enterprises, such as railway construction and maintenance or mining, especially at the Fushun Colliery, continue to require a few. But it is agriculture which now and in future is destined to be the principal attraction for immigrants as well as what determines settlement zones in Manchuria. Wherever a present tendency for the immigrants to become permanent settlers is evident the chief characteristic of the region of settlement is agricultural.

The zones of settlement in Manchuria are nine in number. Their relative importance may be indicated in a manner by giving them descriptive titles and adding the number of Chinese immigrants who entered each during the first six months of 1927: (1) The Yalu River zone, 25,000; (2) the Upper Sungari River zone, 100,000; others in South Manchuria, 75,000; (3) the Taonan zone, 15,000; (4) the Upper Nonni River zone, 35,000; (5) the Changchun Northern zone, 35,000; (6) the Western zone of the Chinese Eastern Railway, 60,000; (7) the Eastern zone of the Chinese Eastern Railway, 125,000; (8) the Hulan River zone, 10,000; and (9) the Lower Sungari River zone, 150,000. Of the total of nine settlement zones seven are in North Manchuria, or north of Changchun. Of those in North Manchuria, that of the Lower Sungari river has recently become of major importance.

SOUTH MANCHURIA'S ARID SOIL

North Manchuria is far more important both as a present and potential region of settlement than South Manchuria. The latter is generally less fertile, the idle arable areas are smaller, while in Fengtien province, particularly, the density of population has already reached such a point as to make further absorption of settlers unlikely or impossible. There seems to have been a tendency to exaggerate the soil productivity of South Manchuria, particularly of the Liaotung peninsula. Except for the valley of the Liao it is generally very sandy or even rocky, a fact which seventy-five years ago gave the Liaotung a reputation for being a region of "distinguished rank for the aridity of the soil," but which now has been partially concealed by the very thorough process of afforestation with hardy trees conducted contiguous to the railway by the Japanese authorities.

In contrast with the Lower Sungari or the Hulan Valley in North

Manchuria, much of the Southern part of Manchuria is extremely unattractive to the immigrants. Almost none are settling south of Mukden. No more than fifteen per cent. of the land of North Manchuria is under cultivation, and virgin cultivable lands at least equal to that amount await the settlers to produce the Manchurian staple products of soya beans, wheat, millet and rice.

Permanent settlement is indicated alike by the fact of the opening of these new land areas and their occupation by the immigrants and by the port figures of ingress and egress, which show that at least 500,000 did not return during 1927. Some will, of course, return after two or three years, especially if and when conditions in Shantung improve. But particularly in Kirin and in Heilungkiang in the Lower Sungari valley it is noticeable that tens of thousands are pushing back the frontier, felling the trees, building houses and breaking up the soil on hitherto virgin lands recently offered either free or at very low rentals by the provincial authorities. The greater part of the immigrants, however, do not reclaim wastelands or obtain farms for their own. They hire out their services usually on a "crop contract" basis to the landlords, who usually furnish them with housing, food, tools, seed and a small wage.

COLONISTS' CONDITIONS IN MANCHURIA

Of the economic effects of this mass migration to Manchuria the most obvious is that upon the colonists themselves. Allowing for the bitterness of their struggles—and in Manchuria, if less than in Shantung, there are oppressive taxes, bandits, land sharks, and a fiat currency, *fengpiao*, which in the Far East has become a synonym for hyperinflation—most of the immigrants find a measure of prosperity and at least a modicum of happiness. Almost all of them are finding in Manchuria what they seek the most, the right to live.

So vast a migration does assist in relieving the congestion of population in Shantung which famine makes so disastrous. In Manchuria the population has increased 10,000,000 in twenty years. That increase has had a pronounced effect, both on agricultural production and on consumption of imported goods. But the country is still in the stage of agricultural production for self-consumption. Three-fourths of all that is grown is consumed locally.

With the increase in cultivated area, however, estimated to be from five to ten per cent. annually in North Manchuria, there is an increasing surplus of produce, principally beans, millet and rice, and part of it finds a world market, bean oil particularly in Germany, bean cake and rice in Japan, and millet in Chosen (Korea). Likewise this increased colonization reacts very slowly on market demand for imported things for their purchasing power is small and their wants few. The indirect effect is, however, significant. Manufacturing industries such as flour milling, bean oil and sugar milling are already beginning the transformation to the machine age which the railways encourage, and the railways in construction, made the more necessary by constant colonization, have already made of Manchuria the leading market in China for supply materials.

POLITICAL EFFECTS OF THE MIGRATION

Superficially the immigration of Chinese to Manchuria bears a resemblance to what would occur if the population pressure in Japan were sufficient to force large scale colonization of Hokkaido. Manchuria is a part of China. Except for the last vestiges of Russian control over

the Chinese Eastern Railway zone and the jurisdiction of the Japanese over the Kwantung Leased Territory and the ribbon of land included in the South Manchuria Railway zone, the rest of Manchuria is now nominally responsible to Peking, more particularly to Marshal Chang Tso-lin. His retirement to Mukden would again make Manchuria practically independent of the capital, though even now negotiations with certain foreign Powers are conducted through Mukden.

Manchuria is at present under Chinese military administration. Of the hundreds of thousands of immigrant refugees who are pouring into the region, the majority have no interest at all in provincial politics and far less in national or international affairs. The immediate political effect of their coming to Manchuria, apart from the opportunity given the authorities for increased tax returns, with a single exception, is almost negligible.

Chinese colonization in Western Manchuria, however, has served to complete the displacement of the league rule of the Mongols by Chinese administrative machinery. Even after the establishment of the Republic of China the Mongols in the Barga district of Northwestern Manchuria maintained their independence of Peking, and the local Russian timber concessionaires still pay them blackmail to forfend bandit raids. About Taonan, however, Mongol control has been entirely replaced with Chinese; the local *taoyin* (prefect) being responsible directly to the *shengchang* (civil governor) of Mukden, though in fact the region is under military control. But the vast majority of the immigrants proceed to Northeastern Manchuria, where Chinese administration has long been established in fact. It is rather in Mongolia than in Manchuria where Chinese colonization is widening administrative boundaries for China. Ultimately, however, a population in Manchuria predominantly Chinese will redound to the political strength of China.

PERSECUTION OF KOREAN SETTLERS

The only exception to the generally inconsequential political effect of the movement of such vast numbers of Chinese to Manchuria is that which arises from the conflict with the Korean farmers, some 800,000 of whom are now living in Manchuria. The Koreans have settled principally in Kirin and to a lesser extent in Heilungkiang. So great has been the influx of Chinese recently that there is actually a temporary oversupply of cheap labor, which fact has led in certain cases to oppression of the Koreans, long tolerated as desirable settlers, by the local Chinese authorities or by the Chinese farmers themselves. The competition is lessened, however, by the fact that most of the Koreans are rice farmers who have reclaimed low lands not formerly desired by the Chinese farmers from Shantung, who have no experience in the tedious task of tending the paddy fields.

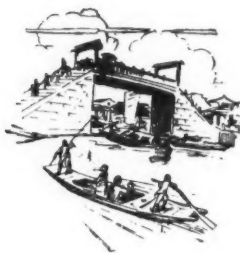
Persecution of Koreans has recently become severer through exorbitant taxation or increases in land tenancy rents and in the new requirement that they either become naturalized or quit the country. The presence among them of a few Bolshevik-inspired agitators aggravates the problem. The Japanese Government is placed in a dilemma. To protect the unnaturalized Koreans who legally have modified extraterritorial rights is to court Chinese hostility; to refuse protection is to encourage disaffection in Chosen. Many of the Koreans are becoming naturalized as Chinese, while others are re-migrating to Heilungkiang, where Chinese persecution is less severe. On the whole, however, the conflict of the Chinese and Koreans in Manchuria seems to be rather officially inspired than the result of increased Chinese colonization. The

Manchuria-Mongolia negotiations now in process between Tokio and Peking, which are from time to time transferred to Mukden, are concerned partly with the problem of Koreans in Manchuria.

EFFECT ON CHINESE-JAPANESE RELATIONS

The direct effect of this Chinese migration upon Chinese-Japanese relations is slight. There is no question involved of competition of Japanese subjects, other than the Koreans, with the Chinese farmers. In Manchuria there are very few Japanese farmers, and those who are there do not need to compete unaided with the Chinese. Japanese subjects in Manchuria, other than Koreans, number perhaps less than 250,000, of whom nine-tenths live under Japanese jurisdiction either in the leased territory or the railway zone. That their petty peddlers fail to compete with the Chinese is of no concern.

The Japanese in Manchuria are capitalists and promoters, not farmers. Their largest enterprise is the South Manchuria Railway and its subsidiary industries, and the interests of the railway are served by the annual migration of the Chinese from Shantung. Since shortly after the Russo-Japanese war Chinese have been permitted to pass through the Kwantung Leased Territory without passports, the only restrictions upon the immigration at Dairen being such as are imposed to enforce the regulations governing overloading of steamers and medical examination. From 1918 until very recently the Japanese actually encouraged Chinese immigration through recruitment offices in Shantung and Chihli, now quite unnecessary, and the Japanese-owned South Manchuria Railway continues to offer reduced rates to the immigrants.



Do Women Want National Prohibition?

The supreme importance of the prohibition issue in our national history today, and the leading part which it will play in the coming electoral campaign, make it desirable to clarify this great social and moral controversy from every angle.

In the debate herewith presented a very important aspect of the whole question is discussed, especially from the viewpoint of its influence on the 1928 elections—viz., the attitude of the women voters of the nation toward the Eighteenth Amendment and toward the proposals for modification or repeal.

Miss M. Louise Gross, Chairman of the Women's Committee for the Repeal of the Eighteenth Amendment, sets forth in detail her reasons for believing that women as a whole are in favor of repealing the law.

Mrs. Henry W. Peabody, General Chairman of the Women's National Committee for Law Enforcement, declares, on the contrary, that the majority of women are not for modification of any kind, and stresses particularly the moral issues involved.

Another group of articles, written by two lawyers of distinction and dealing with an important constitutional phase of the subject: "States' Rights and National Prohibition—Is the Eighteenth Amendment a Nullity?" will be found at the back of this magazine—EDITOR OF CURRENT HISTORY MAGAZINE.

I—Why Women Desire Repeal

By M. LOUISE GROSS

CHAIRMAN, WOMEN'S COMMITTEE FOR THE REPEAL OF THE 18TH AMENDMENT

DO the women of America want National Prohibition? No. Do the women of America want temperance? Yes. Do they want saloons, as in pre-Volstead days? No. Then, what do they want? These are questions which are being asked and answered in various ways today all over the world—and I say all over the world because I recently returned from a European trip where these questions were put to me by governmental officials and leaders of the social and civic life of France, Germany, Switzerland and England.

American women believe in temperance which means voluntary abstinence, self-control, but not coerced abstinence or abstinence forced from the outside, which can never be obtained by passing useless laws. The American women believe in tolerance and fair play, they are noted for their good sportsmanship and courage to fight for ideals and changes in laws that will bring better conditions to the less fortunate, but they will not stand for hypocrisy, sham or misrepresentation. If they make a mistake they are quick to realize it and anxious to rectify it. That is why I do not hesitate to say that the majority of the women of America do not favor National Prohibition, because after eight years' trial it has proved a mistake and a costly experiment to the nation.

The majority of the women in America favored National Prohibition when it was first talked about, thinking that it might improve temperance, and we were willing to try it, but each year since it has become the law of the land we realize that it is not the cure for the ills of the nation, and that conditions in this country are gradually getting worse

and worse as a result of the adoption of the Eighteenth Amendment, and being women, we want to know why.

The majority of the women of the country cannot reconcile the fact that the Anti-Saloon League proclaims in one breath that Prohibition is a great success, and in the next breath asks for five million dollars to carry on its propaganda with, when the Federal Government is spending millions of dollars yearly to try and enforce the law. What the average woman cannot figure out is, if Prohibition is such a success why does a group of plain citizens have to raise five million dollars to watch it? If Prohibition is the blessing to the country and the success its proponents would have us believe, why is it the chief topic of conversation, why does it occupy the most prominent space in the newspapers, why must this Government use the army, the navy, the courts and a large enforcement department, local officials and anything they can get a hold of, to help enforce the law?

These are a few of the questions the women of America are asking. Then we reason, that with the Prohibitionists themselves in control of all branches of the Federal Government and a majority in the House and Senate, why do we not have 100 per cent. enforcement, and why is it not a success? If Prohibition were a success and respected like the laws against stealing, murder, arson, and so forth, there would be no need for private individuals to raise money to help the Government to enforce something that never has been enforced, and never will be enforced, as long as the United States is as it now is with respect to geographical location and the temperament of its citizens. Good laws are automatically enforced and respected by the majority of the people, but laws such as the Eighteenth Amendment will always be regarded with suspicion and distrust by a free people.

PROHIBITION NOT A SUCCESS

Do you wonder, therefore, that the women of America are beginning to change their minds about the so-called benefits of National Prohibition? We reason further that if the anti-Prohibitionists controlled Congress and the Senate, there might be an excuse for the present conditions, but with the "Drys" in control, there must be something wrong somewhere, in that Prohibition is not the success some people would have us believe. Therefore, as the Eighteenth Amendment is the source and root of the evil, the natural conclusion the women arrive at is to remove the root—or the Eighteenth Amendment.

One of the real reasons why the women of America are beginning to feel apprehensive about Prohibition is its effect upon the young people of the land who are now indulging in drinking hard liquor, such as never was known in the days before Prohibition. Young people in this country exchange recipes for home brew, they carry hip flasks, and have drinking parties at their school and college dances and socials which are a disgrace to civilization. They think it is smart to drink. The increase of crime among youths between the ages of 14 and 21 may be laid to Prohibition, and is not the result of the World War, as the Drys are trying to make us believe, because these youths were small children ten years ago and not old enough to go to war. This is another source of worry to the women of America which is causing them to question the good of Prohibition.

The women of America are now studying ways of changing the situation brought about through the adoption of the Eighteenth Amendment and the Volstead Act. They are studying the laws pertaining to the



Marceau

MISS LOUISE GROSS

question, they are studying the various remedies offered as a solution, they are asking questions and reading all available information on the subject, and a large group of them who do not believe in Prohibition have come to the conclusion that the only remedy is in the repeal of the Eighteenth Amendment. As long as this un-American doctrine remains a part of our Federal Constitution any bills which might be passed to modify the Volstead Act would be declared unconstitutional as conflicting with the Eighteenth Amendment, and with that intuition which women are supposed to possess we do not hesitate to advocate the repeal of this amendment.

Women who advocate the repeal of the Eighteenth Amendment consider that this question involves a greater issue than that of National Prohibition. It involves nothing less than the self-governing capacity of every

citizen in this country, because it puts the question directly up to the people of the country themselves, to vote upon it. It involves the question whether or not all proposed Constitutional amendments which may affect the personal habits of the people of the entire United States should not be required by law to be submitted to a vote of the people themselves, and whether in the future the Constitution of the United States should not be strengthened to provide that no such amendment shall be made to it unless upon the consent of the people themselves.

A PATRIOTIC CAUSE

The women opposed to the Eighteenth Amendment and advocating its repeal consider, therefore, that they are working for one of the highest and most patriotic causes that have ever been presented to the country.

The women advocating repeal of the Eighteenth Amendment have discovered that there is at present in the United States Senate (peacefully sleeping in committee, where it will remain until there is a Wet majority in Congress) a Joint Resolution known as S. J. No. 2, which provides for the submission of the repeal of the Eighteenth Amendment to Conventions in the several States. This is the nearest thing to a national referendum on Prohibition that it is possible to have under our Federal Constitution.

After this Resolution is passed by Congress the State Convention will be called by the State Legislature of each State, and the voters of each State elect their delegates to the Convention, much the same as they do for the Electoral College when voting for a United States Presi-

dent, but the *only* question that will be submitted to the State Conventions is whether the Eighteenth Amendment shall be repealed or retained. The time, the place, the number of delegates to be elected, will all be decided by the several State Legislatures. A majority of the delegates to each Convention will vote in accordance with a majority of the State's voters who elected them as their delegates, and determine the vote of that particular State Convention. If three-quarters of the State Conventions vote in favor of repealing the Eighteenth Amendment, it will be repealed. It is necessary to obtain a favorable vote of three-quarters of the State Conventions, and this will for once and all settle the prohibition question.

BILL OF RIGHTS VIOLATED

This referendum should be welcomed by the "Drys" as well as the anti-Prohibitionists, and if the people themselves vote in favor of National Prohibition there will be no reason for any more agitation against it. Many women realize that the Eighteenth Amendment violates the Bill of Rights in some of its articles, and we all know that it was not put into the Constitution by the direct vote of the people themselves, but by their representatives in Congress and the Legislatures of more than three-quarters of the States, therefore there has always been dissatisfaction with the law. Many women now realize that the fundamental mistake of the Eighteenth Amendment is that it established a precedent under which, by amending the Constitution through State Legislatures, other rights of liberty, which should reside wholly within the States themselves, may be gradually transferred to Congress, thereby paving the way for a highly centralized government, from which may spring all kinds of tyrannous laws, commissions and bureaucracies and their manifold rulings and decisions which should have no place in the government of our country.

After the Eighteenth Amendment is repealed it will devolve upon each State to regulate its own liquor traffic. The Federal Government now has the legal right under said Amendment to control this traffic, but the women who have studied this question contend that it is not wise or advisable to give this right to the Federal Government; that the right to control the liquor traffic and to regulate it should be left exclusively to the several States.

Many women cannot see where it involves any moral turpitude or sin to take a drink. People all through the Ages and in nearly all civilized countries in the world have been permitted to drink, and they are just as good as we are. I noticed particularly in the countries I visited in Europe that in no city were the night life and after-theatre parties or house parties as "wet" and as productive of drunkenness as similar life in America is since prohibition. I spent several hours in a London "pub" in the very worst section of London and noticed no drunkenness or evil consequences such as exist here today in our speakeasies and unlicensed public houses, soft-drink emporiums, and so forth, which flourish all over this country since the Eighteenth Amendment became the law of the land.

NEED OF A NATIONAL REFERENDUM

The liquor traffic is purely a local question, and to solve it properly and to put the authority to regulate it where it should be requires a realization by the voters that they must elect men and women to the United States Senate and to Congress who honestly believe in the repeal

of the Eighteenth Amendment, or the submission of the question of its repeal to the voters of the country for a national referendum. The very first step in this procedure is blocked as long as there is a "Dry" majority in Congress. In order ever to effect a change in National Prohibition we must first have a "Wet" majority in Congress equal to two-thirds of the members of both Houses, so that the first and most important step to be taken by the people themselves is to elect Senators and Congressmen who are in favor of submitting this question to a vote of the people, giving each one the opportunity heretofore denied him of expressing his individual wish as to the retention or repeal of the Eighteenth Amendment.

The women of this country all know that some members of Congress vote "Dry" and live "Wet," that paid Reformers urge Prohibition and drink themselves, that Prohibition agents paid to enforce the law are seizing, killing and jailing people who are violating the law, and then taking the liquor away from them and selling it to others; we know that public officials who should enforce the law drink themselves, therefore we are opposed to Prohibition and to being called a nation of hypocrites.

The majority of the American women are tired of hearing representatives of the Anti-Saloon League and self-styled women's leaders shout that they represent ten or twenty million women of the country who stand like the Rock of Gibraltar for Prohibition when we know such is not the case. There are about 120,000,000 people in this country, of whom about 60,000,000 are women. If the "Drys" claim 20,000,000 for Prohibition, what is to prevent the rest of us from saying that the balance, or 40,000,000 women, are opposed to Prohibition? Has any one ever made an actual count? Then why not settle the question with a national referendum such as provided for in the present Senate resolution known as S. J. No. 2?

REFERENDUM VOTES AGAINST PROHIBITION

In every State where a referendum was held the majority has always been in favor of repealing the enforcement acts or against Prohibition, and in each case just as many women voted as men, and if women were in favor of Prohibition these referendums could never have succeeded as they did. In one or two instances, as in California, which always votes "Dry," the women understand that there are local conditions such as higher prices for grapes and larger quantities sold for home-brew making than in pre-Volstead days; therefore, it is a question of "self-preservation being the first law of nature," and not one of principle, and the rest of the country understands it; but aside from these cases, and regardless of what numbers the "Wets" or the "Drys" claim for or against Prohibition, the women of America would welcome a national referendum on the subject, and would then abide by the will of the majority.

Women as a rule are a moderate, temperate, law-abiding, peace-loving group of citizens who invariably put their love of country, home and children above everything else; and when we say we do not believe in National Prohibition as it now exists we do not mean that we are advocating anything radical or extreme or destructive to government when we seek to repeal the Eighteenth Amendment; we are just as patriotic and law-abiding as any Prohibitionists, but we do put our ideals and country above our personal and remunerative gain when it comes to working for a cause such as this.

In the debauchery of youth, in the speakeasies, in the increased

drinking to excess in the homes, in the bribery and corruption of public officials, and in the increase of crime among youths, the women of the country see only the colossal failure of National Prohibition, and in our opinion the return to sanity, temperance and self-respect lies in the repeal of the Eighteenth Amendment.

II—Women's Crusade Against Repeal or Modification

By MRS. HENRY W. PEABODY

GENERAL CHAIRMAN, WOMAN'S NATIONAL COMMITTEE FOR LAW ENFORCEMENT

THAT genial philosopher, Chauncey M. Depew, when asked if the Eighteenth Amendment would be repealed, answered, "No," and gave the reason in one word, "Women."

What do the women themselves say regarding it? Is there any possibility of knowing their collective mind?

Through the Woman's National Committee for Law Enforcement ten great national organizations of women have spoken, first in their own delegated bodies and then through their representatives who form the Executive Committee of this National Committee. They have spoken, not once, but repeatedly, without wavering, and they affiliated six years ago for cooperative expression and action. They number, on a conservative estimate, 12,000,000 women above the average in character, intellect and patriotism. These are the organizations:

- General Federation of Women's Clubs.
- Young Women's Christian Association.
- National Congress of Parents and Teachers.
- Lend-a-Hand Society.
- International Order of King's Daughters.
- Federation of Women's Boards of Foreign Missions of North America.
- Council of Women for Home Missions.
- Woman's Christian Temperance Union.
- National Woman's Democratic Law Enforcement League.

The aggregate membership, as stated, is more than 12,000,000, but as there is some duplication we will take another numerical test. Protestant church women number approximately 20,000,000. At least 12,000,000 of these are for the Eighteenth Amendment, as indicated by the action in their own church groups. Do not from this suppose, as a reporter ingenuously inferred, that some 8,000,000 church women—Methodists, Baptists, Presbyterians, North and South, with Congregationalists, and others—are opposed to Prohibition. We doubt whether there would be a half million of that type. When we deduct 40 per cent. we are setting our opponents a noble example of restrained statement. Women of the Catholic Church are not organized with us, but Kathleen Norris is typical of a great host who declare with Cardinal Mercier: "If universal Prohibition could be introduced more lives would be saved than by universal disarmament. Alcohol kills more men than war, and does it less honorably." Some of the finest Jewish women are on our committee.

RESOLUTIONS OF WOMEN'S ORGANIZATIONS

It may be of interest to know the type of resolution adopted by

some of the great organizations of women. We give only two out of many:

- 1—GENERAL FEDERATION OF WOMEN'S CLUBS (3,000,000 MEMBERS) BIENNIAL COUNCIL, GRAND RAPIDS, MICH., JUNE, 1927.

RESOLUTION

WHEREAS, The Eighteenth Amendment prohibiting the manufacture, transportation and sale of intoxicating liquor, together with Federal and State enforcing laws, all adopted with large majorities, continue to be the subject of a vigorous onslaught for the purpose of reducing such majorities and of encouraging a sentiment favorable to the lax enforcement and nullification of such amendment and laws; now, therefore,

BE IT RESOLVED, That the General Federation of Women's Clubs in Biennial Council assembled renews its allegiance to the Constitution of the United States of America and every part thereof; that we reaffirm our belief in the wisdom of national and State prohibition of the use of intoxicating liquor; that we oppose any weakening of the national or State enforcement laws; and that we favor adequate appropriations for such enforcement.

- 2—PLATFORM ADOPTED UNANIMOUSLY BY THE WOMAN'S NATIONAL COMMITTEE FOR LAW ENFORCEMENT, PROVIDENCE, R. I., MAY, 1927.

As members of our respective political parties we shall require for our votes Presidential candidates whose public pledges and private performance uphold the Eighteenth Amendment.

We shall require all platforms and all candidates to stand unequivocally for the support of the Constitution of the United States.

We shall require clean records of every Administration, Federal, State and local, of enforcement honestly carried out free from bribery, patronage and corruption by men who are for the law and are given sufficient power to be able to fulfill their duty. If this means making the Eighteenth Amendment the issue in the 1928 elections, then we are prepared to make it the issue.

This was endorsed January, 1928, by the Federation of Women's Foreign Mission Boards of all denominations.

Of the Woman's Christian Temperance Union, great and successful pioneer, there is no question.

MILLIONS OF WOMEN AGAINST REPEAL

There will be little question regarding Democratic women of the solid South and the liquid North, since a strong group, growing rapidly, has separated from party leaders and formed the National Woman's Democratic Law Enforcement League, with a fearless periodical, *The Woman Voter*. The chairman, Mrs. Jesse Nicholson of Chevy Chase, Md., was formerly high in office in the regular Democratic organization. These women repudiate all Wet candidates.

In addition to these affiliated groups are the militant Salvation Army, women of the Granges, patriotic organizations which can hardly evade an issue involving an attack on the Constitution. The League of Women Voters recently passed a strong enforcement resolution. *These millions of women have registered definitely by vote in favor of the Eighteenth Amendment and against repeal or modification.*

The National Committee for Law Enforcement has no salaried officials. It has sixteen State organizations, with offices in Massachusetts, New York and Ohio. Its work, mainly educational, is carried on through conventions, textbooks, literature, posters, and a monthly paper, *"The Spotlight"*, published in New York. Local organizations

through every State down to the last little town are reached through the ten organizations represented in its executive.

CONVICTIONS REGISTERED AT POLLS

Women have also registered their convictions at the polls. Before the Federal Amendment 33 States had acted favorably for Prohibition. In many of these States women voted. Federal action on the Eighteenth Amendment and the Volstead Act was ratified with the hearty cooperation of women in 46 States. The Supreme Court has rendered favorable decisions in forty cases bearing on the Eighteenth Amendment and the Volstead Act. Therefore, the great majority in Congress must remain politically Dry if they continue to represent the electorate. Their oath of office requires that they "support and defend the Constitution without *mental reservation or purpose of evasion*."

But Wet political optimists are saying, "The women will not vote." In certain States candidates have been presented for whom no reputable woman could vote. The women are not excited over the tariff, taxes or other masculine political pawns. They understand that the rallying cry, "Turn the Rascals Out," is reversible, equally applicable to both parties. But here comes their own issue and they will vote.

CHARACTER OF GROUPS OPPOSED

It would not be fair, however, to say that all women want Prohibition. There are certain groups opposed. Among these is a group who reflect the influence of unceasing propaganda in press and magazines. They really believe that only fanatics are back of Prohibition, that it cannot be enforced, though it is in two-thirds of the States. They understand that the Anti-Saloon League controls the Supreme Court, Congress, State Legislatures, manufacturing interests, railroads and educational institutions. They argue for Temperance versus Prohibition, forgetting that in the long years when temperance was the objective it was always possible for Wet border forces to "put the Wet into Dry States," while the temperance hosts could not "put the Dry into Wet States." Since State lines are imaginary, a Federal Amendment was essential to Dry States' Rights which, after all, are as legitimate as Wet States' Rights.

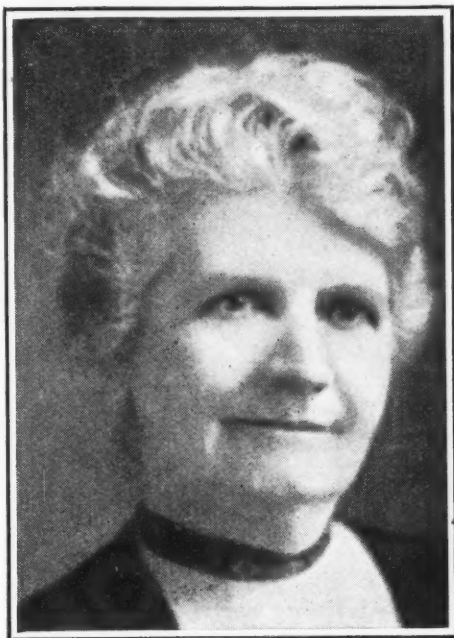
The second group includes women of the underworld, with illiterate aliens from wine-growing countries who cannot be counted on for moral or patriotic issues. These classes were much larger in old saloon days, and will grow less with education.

There is also the small privileged class. Few reforms start on Fifth Avenue or Beacon Street. Special privilege often breeds a type of self-centred women who hold themselves above moral or civic law; patriotic in war when the flag is in fashion, they are disloyal to the Constitution which daily protects them, their property and rights.

THE THOUGHTLESS AND THE CORRUPT

Then there are parrots, who talk but do not think. They say glibly, "More drinking than ever," without ability to reason that it takes "a great many hip flasks to make a saloon," or they declare "it was put over," which is untrue, though even so, it would stand with the Ten Commandments, the Declaration of Independence, the Constitution and the Bill of Rights, from which we are not exempt and which we are not proposing to repeal.

We must also deal with a certain type of woman politician and



Harris and Ewing

MRS. HENRY W. PEABODY

women paid to serve corrupt political interests. States which send disloyal men to Congress or Legislature will secure women to match. The remedy will not come through developing "women bosses," as Mrs. Franklin Roosevelt has suggested. This would create a worse political situation than we have in Mrs. Roosevelt's own State and party, where Tammany controls. Women are learning. The nation will rise as Chicago rose. The Chicago Woman's Law Enforcement Committee asks in a questionnaire, "Can you change the mind of your dripping Wet Senator?" Answer, "No; but you can change your Senator." They did, following the example of women in New York State.

Why do so many women stand for the Eighteenth Amendment and its enforcement? Women are accustomed to enforcing laws, essential in home and school, as in city and State government. They

are not at all afraid of prohibitions. They recognize the demand for personal liberty as that of a four-year-old mentality, sometimes found in Intellectuals. Then there were fewer alcoholics among women than among men, and women never feel the strain of giving up an old habit as men do, who cling fondly even to ancient garments, while most women readily adjust themselves to new. But back of these reasons is a great underlying natural law which will control the normal woman if human society continues. Men think logically, women biologically. The preservation of the race rests with the woman. Her instinct to protect the child leads her to deny herself privileges and liberties that injure the child. The woman's major reason for no repeal or modification of the Eighteenth Amendment is found also in one word, "Children."

Alcoholism is a disease as real as tuberculosis, more dangerous to body, soul and mind. The health motive appeals to women. They have seen the galloping type of the disease of alcoholism and the slow decline. They agree with thousands of eminent physicians and with great insurance companies who face the health risk in their business that alcohol, a habit-forming drug, is a menace to health. In 22 States alcohol is not allowed even as a medicine. These are States with the highest health rate. Most of the medicinal alcohol released is used in New York and Illinois, where the health rate is low.

Alcohol and vice have always gone hand in hand. The danger to youth from beer and wine is far greater than from distilled liquor. "No harm to take a drink," "Who has a right to interfere with my personal habits?" are Wet axioms which are dangerous to flaming youth. Indulgence in alcohol is accountable for political debauchery, for nearly every brutal crime and excess, for vast unhappiness and shame. Public

safety in this mechanical age demands clear heads and steady hands, which alcohol will not furnish.

PROSPERITY UNDER PROHIBITION

A century ago Richard Cobden, a noted British economist, visited America. He declared that the two great Race Destroyers are liquor and war, and the battle against them would be won in this new Republic unless it became "choked with prosperity." Notwithstanding our boasted prosperity the nation, South and West, is still able to breathe, and there the fight against these destroyers is on.

Considerable credit for prosperity should be granted to Prohibition, which released billions of dollars wasted in alcohol for useful trades, home building, insurance, travel, automobiles, education, radios. Formerly a large part of the family wage supported 177,000 licensed saloons and hotel bars, with numberless speakeasies, for illicit selling did not come with the Eighteenth Amendment. Our opponents say, "No one wants the saloon back." They want only that alcohol should be legalized. But liquorless saloons would have less terror for Prohibitionists than saloonless liquor under Government sale as in Canada, a warning rather than an example, as Miss Cora F. Stoddard has pointed out in an illuminating survey. Canada will have liquor, but Canadian families will do without some other things more important and desirable.

Women citizens see no possibility of clean politics until the outlaw liquor traffic is really outlawed in every State. The situation in New York, Chicago and Philadelphia is typical of our great city governments. The feminine housecleaning instinct is rapidly taking possession. It will inevitably reach politics.

Women are not only for the Eighteenth Amendment, they are as strongly in favor of real enforcement. A man left alone with a lively family of children for a week is ready to repeal the Ten Commandments and to swear that woman's place is in the home. Who enforces the law in the family? Men are not better disciplinarians in government.

The present situation would be ludicrous if the results were not so tragic. It is evident that in Washington and vast States there has been no real intention to enforce law when it interferes with politics, patronage and pleasant friendships. Men whose honor was outraged by oil and election frauds still break their solemn oath of office in the Capitol, we are told, and other men make no protest. Patronage accounts for slipping outstanding Wets into enforcement departments, the appointment of doubtful Judges and Prohibition officials, the situation regarding sacramental wine in New York and the open defiance of certain clubs and resorts. It is not a failure of the Eighteenth Amendment, but largely a failure of honor in men sworn to support and defend that Amendment. This is a shocking example for youth, and a constant encouragement of lawlessness.

Perhaps no law ever met such propaganda and opposition because no law was ever more needed. When the personal liberty of father meant the personal slavery of mother and the children two great amendments came—the Eighteenth and Nineteenth, Emancipation Acts. They will stand together. The rights of women are as definitely linked with the Eighteenth as with the Nineteenth Amendment. Democratic and Republican women in great numbers are absolutely agreed on this issue, and their principle will prevail over party in the coming election.

The methods of those opposed are the familiar old saloon methods—enormous propaganda through Wet city press to control election of candidates who will later do the bidding of the bosses.

Women are watching the present epidemic of referenda, and noting the source will discount this method. Too often it is only a trick which must be understood and discredited. A group of women in Massachusetts, after a successful protest, discovered that certain astute Dry politicians were playing this game with the Wets of the other party, in order, they said, "to bring out the vote." This will prove a fallacy. Women understand that amendments to the Constitution and laws in Congress are not secured through referenda, nor can they be taken out by that method, which is expensive, futile, deceptive.

Women, half the electorate, have little place or power in the game of politics, but they have great influence for right issues. American men are fair, and knowing what good women want and why, they will see that their cause has fair representation. If only "Mothers' Day" could be changed to Election Day and men would "say it with votes," instead of with flowers and orations, it would mean much to many mothers and homes.

Women are afraid of drunken drivers of automobiles, locomotives and ships. They will choose a sober captain for our Titanic Ship of State and they will help elect him, unless it be true that the decision will be made by one or two men.

Women do not minimize the strength of their ancient enemy, but they know they do not fight alone for this great moral issue. An old text fits the present situation and offers the solution: "For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places."

Women believe that our Government needs a moral revival based on the Ten Commandments or *Prohibitions*, leading up to the greatest Commandment, "Thou shalt love the Lord thy God with all thy heart and thy neighbor as thyself," with its social implications.

The "hypocrites" are those who pray, "Lead us not into temptation, but deliver us from evil," while they fight unfairly to keep temptation and evil legalized.

In this crusade women will vote as they pray. They are singing, too, a new song, not the old wail, "Father, dear father, come home with me now," but a marching song, "Mother, dear mother, come down to the polls." Men do not yet understand this type of woman, a very old type. Men pride themselves on standing for party. Women will stand for the cause. The twentieth century Barbara Frietchie is another Southern woman, dauntless Mrs. Clem Shaver, wife of the National Democratic Committee Chairman, who in her Mayflower address "took up the flag the men hauled down" at the Jackson Dinner in January. Again in an address before the Woman's National Law Enforcement Convention in the Senate Chamber of the Capitol in Columbus, Ohio, she represented both Republican and Democratic women, and we believe the majority of good men, declaring: "Candidates for office in the coming election must take a decided stand on the liquor question. Those who hedge or stand with the Wet side will have to fight the combined forces of the Dry women's organizations. They will not tolerate a Wet ticket in 1928."

Against this declaration we read in our morning paper of great accessions to the Society Opposed to Prohibition, with its triumphant statement that these men control organizations possessing funds that total \$40,000,000,000. Even that does not intimidate the women, who reply to this challenge: "Gentlemen, the Constitution is not for sale."

The Silver Jubilee of Aviation

By G. K. SPENCER

PRESIDENT, MARITIME AIR SERVICE

TWENTY-FIVE years since the first successful airplane took the air; twenty years since the United States Army purchased its first airplane; fifteen years since the first overseas aerial expedition was dispatched—by the army to the Philippine Islands; seventy-five years since Beleguic invented his traction screws for airplanes—the first real thought of the modern airplanes; one hundred and sixty years since Paueton conceived the idea, in 1768, of an apparatus with two screws, suspensive and propulsive, for airplanes—all these we celebrate this year!

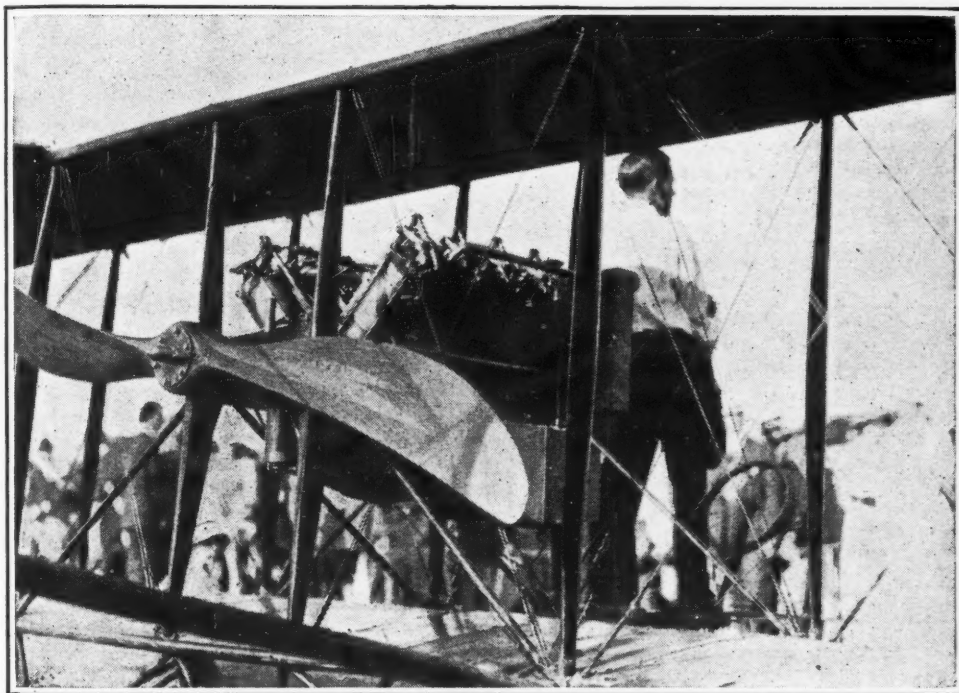
As though 1928 were meant to be one of the fateful and providential years of history, the entire world seems this year to be stepping over the threshold, the last boundary between experimental and pristine aviation and the general aeronautical utility of the future. Starting in 1927 with the dazzling break-through of Lindbergh, victory has come upon victory, until pilots, designers and builders now offer flying performance and equipment which is already rated by the foremost transportation authorities as some fractions higher in safety-factor than any other form of mechanical transportation.

All this has arisen out of a field of darkest night with only an occasional star of achievement flitting through it. The wildest dreams of the prophets scoffed at only a decade ago are now accomplished fact, and we go on to a new sunrise. The future is upon us even before we are ready to receive it.

Though much of the impetus is directly due to significant achievement in the science of motor design such as the development of the high-powered air-cooled motors, and the development of metals lighter than wood (only a dream ten years ago), yet a not inconsiderable factor has been the orderly collection of aerographical and aerological facts which have later found their way into compilation of specific specifications, after practical applications of the knowledge won in wind-tunnel experiments. Every exterior portion of the modern airplane is tested in wind tunnels before ever it finds itself a part of an actual flying machine. We now have the airplane in the field of exact science, and it is now possible to say conservatively just what it will likely be tomorrow. The prophet gives way to the scientific mind.

It has been twenty-five years of pioneering. And the silver jubilee finds us wondering at the marvelous demarkation of an age, as though it were designed by some higher power that twenty-five years should be given to infancy. For 1928 marks a distinct change in aviation, with the fruits of the past just now, in this year, falling into our laps. This is true, financially, scientifically and productively. All commercial angles now converge on the aircraft to deal with it, not as an outcast or upstart, but in accordance with the accepted rules of commercial procedure.

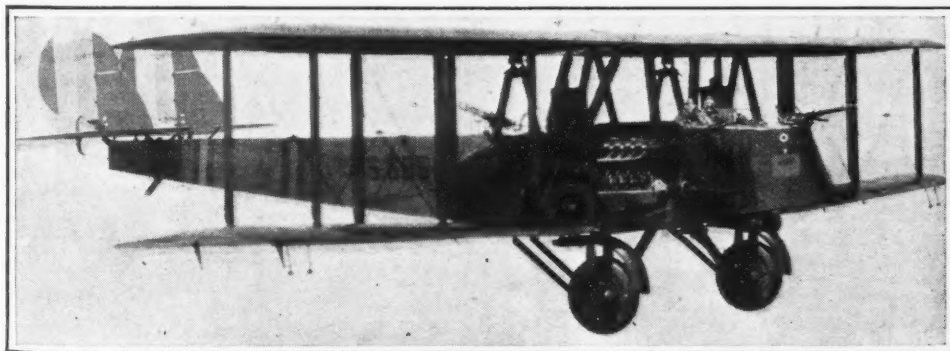
As a matter of fact the conception of the airplane, the embryo and the finished product are still so near to us that the same generation which developed the machine is still its guiding hand. Though that



The early Curtiss biplane

generation has lost much good blood in the progress it has made in a new science, a new art, it still leads us. Younger men have stepped in to fill the ranks, and they, too, give evidence of similar intrepidity in action, but the generation which set aviation "aborning," still carries the torch of advance.

Of the seven United States Army "Gold Eagles" only one is dead, two are retired and four are still active flying officers. These men led technical advance at a time when it was a difficult matter to induce men to enter the air service. The military at that time, before 1913, performed most of the dangerous flying which was necessary to discover elements of structural strength and study the activities and idio-



Modern Curtiss Bomber

synchronies of the air currents. They gave birth to aerography and aerology. Orville and Wilbur Wright, Glenn Curtiss, Glenn Martin, Grover Loening and others were the active designers. They flew too, but they were greater students and scientists than pilots. But all types of men were needed for cultivating the tender roots of aviation.

They flew "crates" which today would appall even daredevil aerial performers. Simply to fly in the years between 1903 and 1917 was more than equal to the wing-walking and triple parachuting of today.

And yet, it was not until after the Great War had ended that the first pilot of that little group to which the Army awarded the Gold Eagle Badge, signifying a "senior military aviator" met his death. In 1920 Captain Townsend Dodd, regarded by many as the first engineering officer of the air service, was killed in a heavy rain and hail storm near Philadelphia. Two of his comrades among the Gold Eagles, Joe Morrison and Lewis E. Goodier, have since gone into retirement. Four others of the original Gold Eagles are still active as pilots.

Of these the greatest is possibly, by general consent, Brig. Gen. Frank P. Lahm, winner of the first Gordon Bennett Balloon Race for the Army, one of the first three pilots of the Army, taught by the Wright brothers, and now in command of the Air Corps training centre composing Brooks and Kelly Field, in Texas.

Major H. H. Arnold, author of important aviation books and until recently in the Washington offices of the Chief of Air Corps, is another. Herbert H. Dargue, who is now a Major and who commanded the Army flight around South America is still another.

Brig. Gen. Benjamin D. Foulois, now assistant chief of Air Corps, is the last of the Gold Eagles. He commanded the Army's first aircraft squadron, and took it to the wars. It was he who first recognized the commanding qualities of William Mitchell, who started as a young Captain in the Aviation Section of the Signal Corps. Foulois secured Mitchell the important command of combat aircraft in the war scheme. Coming from the ranks, Foulois is one of the two surviving men of the first group taught to fly in the military forces. The other living graduate, Frank P. Lahm, has been mentioned.

After serving with Orville Wright in 1909 as the first observer in the first cross-country flight made by an airplane in America, the then



The United States Army's first aircraft bomb in the hands of its inventor, Riley Cooper, the Army's first bombardier



A modern aircraft bomb weighing 4,000 pounds

Lieutenant Foulois actually became not only the commanding officer but the whole Army Air Service. Because of his enthusiasm at a time when other officers scouted the military value of the airplane, he obtained the Army's only airplane, on condition that he keep it in repair, which he did out of his own funds. After approximately one hour's instruction, he took the plane to San Antonio. From January, 1910, to March, 1911, he was the only Army officer on flying duty. He was, in reality, the Army aviation service, the commanding officer, the mechanic, and the ground squad. He came from the ranks.

And now to make clear the story of man's conquest of the air, let us consider this chronology from the earliest times:

Icarus, son of Daedalus, killed in a leap from a cliff with wax wings. (Mythological).

Wang Ping in China and Verbo in Egypt, supposed to have developed a method of flight which became lost with other arts, such as Greek Fire and long-distance communication.

Archytas of Tarentum reported to have carried out various flying experiments.

649—Flying machine reported used by Byzantium emissary to proceed from Constantinople over the Saracen army and the Bosphorous. Saracen attempts at flight with the same device resulted in disaster when the instrument glided a distance and then dropped to earth, killing the user. It is believed this was a form of glider.

The works of Dante of Perugia, of Leonardo da Vinci and Guidotti show the progress of an idea of heavier-than-air flight.

1670—The Jesuit Francis Lana proposed four globes of copper, twenty feet in diameter, and very thin, to be exhausted of air, with a boat attached, carrying masts and sails to direct a course.

1709—The Portuguese Gusmao rose from Lisbon in an airship, and his arrival at Vienna is gravely described in a tract of the time entitled, *Nachricht von dem Fliegendenschiffe so aus Portugal den 24 Juni in Wien mit seinem Erfinder glücklich Ankommen.*

1742—The Marquis de Bacqueville designed a system of wings, tried it over the Seine, and fell and broke his arm.

1766—Cavendish showed hydrogen gas lighter than air and Cavallo filled soap bubbles with it in London.



COLONEL C. C. CULVER

Pioneer radio officer of the Army Air Section. He took the first radio set to France

1768—Paucton conceived the idea of an apparatus with two screws, suspensive and propulsive, the first of the helicopters.

1781—Meerwein, the architect of the Prince of Baden, built an orthopter machine and protested against the tendency of the aerostats, which had just been invented.

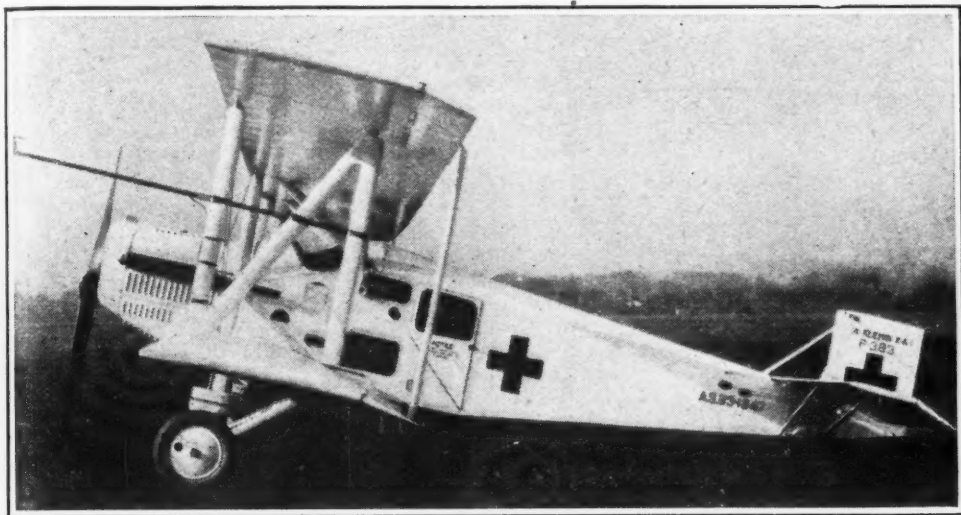


Major W. G. Kilner, now commanding the Army air forces in the Philippine Islands

1783—The Montgolfier brothers, at Ammonay, France, gave public trial on June 5 of their paper balloon with a wooden frame, weighing 300 pounds and carrying 22,000 cubic feet of hot air produced by burning straw. It rose a mile and two months later Charles and Robert sent the first hydrogen balloon up. Benjamin Franklin observed the ascension and wrote to the United States Government about it. On



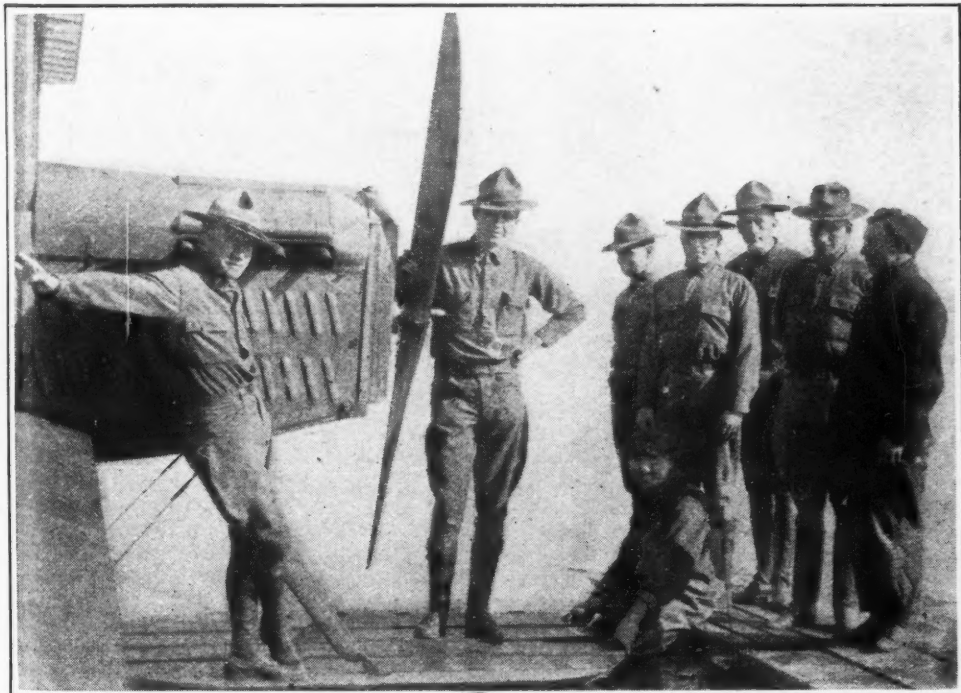
Major B. Q. Jones, originator of aerial acrobatics and now commanding Army air fields



Modern airplane ambulance

Maritime Air Service

Nov. 21 the Marquis d'Arlandes and Pilatre de Rozier made the first voyage to be made in the modern period by man. A second voyage by Charles and Robert Montgolfier was made on Dec. 1.



The first aircraft squadron sent to the Philippine Islands: Lieutenant Canady, Lieutenant MacDill, Lieutenant Netherwood, Lieutenant Don Sutton, Lieutenant Fitzgerald, Captain W. W. Patterson and "Doc" Wildman, the Army's first aerial instructor

1784—Launoy and Bienvenu manoeuvred a helicopter worked by springs.

1808—Attempts were made at flight by the Austrian, Jacques Degen.

1810—The pamphlet of Deniau of Nantes came out, in which the principles of "heavier-than-air" flight are laid down.

1811 to 1840—The inventions and researches of Derblinger, Vignal, Sarti, Dubochet and Cagniard de Latour.

1842—The Englishman Hensen, with his system of inclined planes, worked by steam, gave demonstrations.

1843—Cossus and his ascensional screws became known.

1847—Camille Vert and his helicopter made of birds' wings.

1852—Letur and his system of guidable parachutes, whose trial cost him his life, and in the same year Michael Loup, with his plan of gliding through the air on four revolving wings.

1853—In this year Beleguic and his aeroplane with the traction screws came forward, while Vaussin-Chardannes with his guidable kite and George Cauley with his flying machines driven by gas also claimed serious attention.

1854 to 1863—Joseph Pline came forward with several patents for aerial systems. Breant, Carlingford, Le Bris, Du Temple, Bright, whose ascensional screws were left-handed; Smythies, Panafieu, Crosnier, &c. At length, in 1863, thanks to the efforts of Nadar, a society of "heavier-than-air" was founded in Paris. There the inventors could experiment with the machines, of which many were patented. Ponton d'Amecourt and his steam helicopter, La Landelle and his system of combining screws with inclined planes and parachutes, Louvrie and his aeroscape, Esterno and his mechanical bird, Groof and his apparatus with wings worked by levers.

AERIAL LOCOMOTION MADE PRACTICABLE

The impetus now given, inventors invented and calculators calculated all that could render aerial locomotion practicable. Bourcart, Le Bris, Kaufmann, Smyth, Stringfellow, Prigent, Danjard, Pomes and de la Pauze, Moy, Penaud, Jobert, Haureau de Villeneuve, Achenbach, Garapon, Duchesne, Danduran, Parisel, Dieuaide, Melkiseff, Forlanini,



The first airplane ambulance, with Captain W. G. Ocker, the designer, in the pilot's seat, and Major Driver in the patient's seat

**GROVER LOENING**

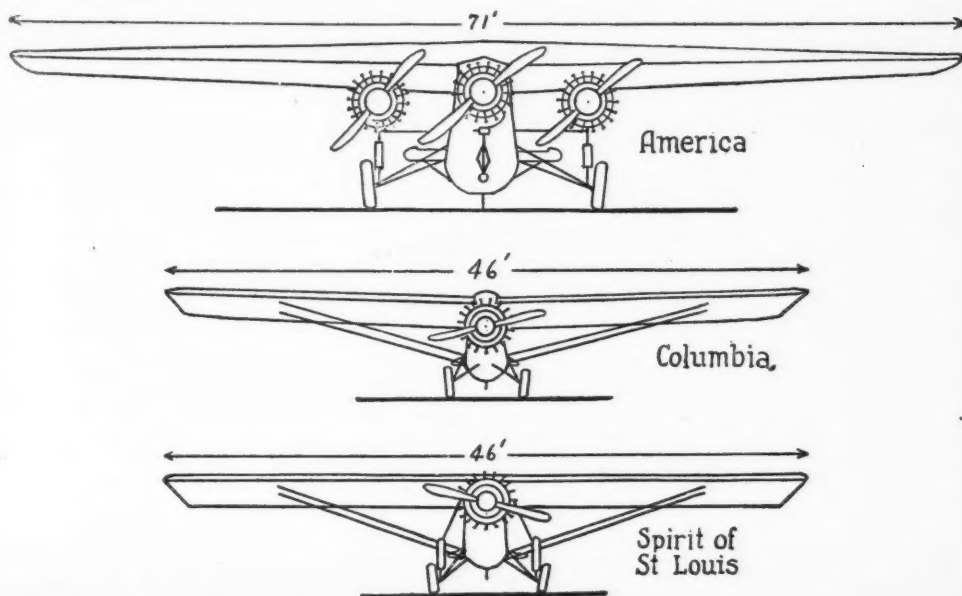
Designer and builder of the amphibian plane, now the standard of the Army and the Navy. He was one of the earliest designers of military aircraft

Bearey, Tatin, Dandrieux, Edison, some with wings or screws, others with inclined planes, imagined, created, constructed, perfected their flying machines, ready to do their work, once there came to be applied to them a motor of adequate power and lightness.

1872—Count Zeppelin finally perfected his dirigible airship. From this single development, all later "lighter-than-air" was built.

1898—Professor Samuel P. Langley developed his powered glider, following earlier works by the German Lilienthal, who was the originator and father of successful gliding and the real founder of modern aviation, his untimely death in a gliding experiment having overtaken him just as he had perfected the glider on which all present day "heavier-than-air" is founded.

1903—On Dec. 17 the first successful airplane flight was made by Wilbur and Orville Wright. And so we come to the event the silver jubilee of which we mark this year.



Relative sizes of the airplanes used by Byrd, Chamberlin and Lindbergh on their flights

The Blame for the Sack of Louvain

The two articles published herewith touch an international controversy which has raged between the Belgian and the German Governments, unaffected either by the close of the World War or by the accession of a republican régime in Germany, since August, 1914.

Professor Christian Meurer of the University of Würzburg and Professor Fernand Mayence of the University of Louvain debate in these articles, written specially for *CURRENT HISTORY* in German and French, respectively, the responsibility for the sack of the city of Louvain by the German army in 1914.

This controversy recently flamed out anew as a result of the publication in Germany of the official report of Professor Meurer and the verdict of the Reichstag commission, on the one hand, and Professor Mayence's formal reply to both, on the other.

The inauguration of Louvain's new bells not long ago and the projected dedication of Louvain's new library, donated mainly by American friends of Belgium, to take place on July 4, 1928, with elaborate ceremonies, give this clarification of the issues involved in this international controversy a special timeliness—EDITOR OF *CURRENT HISTORY* MAGAZINE.

I—The Case for the Germans

By CHRISTIAN MEURER

PROFESSOR AT THE UNIVERSITY OF WUERZBURG, GERMANY

ON Aug. 25-27, 1914, there occurred in Louvain bloody events which are still the subject of warm dispute today.

On Aug. 30, 1914, a German account of the happenings was printed in the *Nieuwe Rotterdamsche Courant* and was reprinted in *The Frankfurter Zeitung* on Sept. 5. And the *White Book*, issued on May 10, 1915, by the Foreign Office in Berlin under the title "The Conduct of the Belgian People's War in Defiance of International Law," occupied itself with the details of the Louvain events, supporting a comprehensive report with numerous sworn declarations by witnesses, assembled in an appendix. The accounts in the *Nieuwe Rotterdamsche Courant* and in the *White Book* agree in the main.

The essential points of the German account are these:

On Aug. 19, the first German troops marched into Louvain and occupied quarters in the Old City. On Aug. 25 there was a sudden change in the good relations that had existed at the beginning between the townspeople and the troops. On that day Belgian troops from Antwerp undertook a drive in the direction of Louvain. The German troops in and near Louvain went out to meet them. Already at this point they

were subjected to a hot fire by the inhabitants in Herent as well as from the houses south of Bucken. Persons caught in the act of firing were shot and their houses burned. The attack ended with the defeat of the Belgians, who in the evening were thrown back toward Antwerp. But the inhabitants of Louvain, who knew about the impending attack and believed that the drive of the Belgian Army was bound to succeed, with the help of English troops, were strengthened in the belief that the Germans had been beaten through the return march of the German troops, and in various places in the city, after a rocket had been sent up, a furious fire was opened upon the German soldiers. Shots came from cellars, windows and especially from the roofs. A particularly hot fire was turned upon the market square and the first échelon of the general command stationed there. The hottest fire of all was upon the railroad station and in the railroad street, as well as upon the Place du Peuple.

The German troops penetrated into the houses from which shots had been fired, searching them for the culprits who, according to military custom, were shot, while the houses were set afire. While the street fights were raging General von Boehn, commanding the Ninth Reserve Corps, re-

turned to the city from the battlefield. It was about 10:30 P. M. He, too, was fired upon repeatedly on his way to the City Hall. He had some respected citizens seized as hostages. They were led through the city and had to urge the citizens to stop hostilities. But these efforts were in vain. Shots were fired even from houses flying the Red Cross flag and from hospitals. Explosives and bombs were also employed and hot tar was poured upon the troops. And later horrible mutilations were discovered.

In the morning of August 26 the attack was renewed. The disturbances continued this day and the following one, although hostages were again led through the city and warned the inhabitants to be calm.

In reprisal there was a brief artillery bombardment of a section of the city after the inhabitants had been requested to leave their homes.

THE BELGIAN VERSION

In contrast to this, the Belgian account is altogether different. Already on Aug. 28, 1914, a telegram was sent from the Belgian Foreign Ministry to the Belgian Ambassador in London, the dissemination of which was looked after by the Northcliffe press. In this message the happenings at Louvain were presented as follows:

After a defeat a Germany Army was streaming back toward Louvain in disorder. German troops had mistaken their own defeated countrymen for Belgians and had fired upon the fugitives. In order to cover up their own mistake the German military authorities had asserted that the inhabitants had done the shooting.

The *Gray Book*, entitled "Answer to the German White Book," issued by the Belgian Ministry of Justice and Foreign Affairs in 1917, clings to this version. The Germans, defeated by the Belgian Army, it says, returned in disorder to the City of Louvain. There was an exchange of shots between them and the troops in the city. At this moment there suddenly began a hot fire in quite distinct parts of the city.

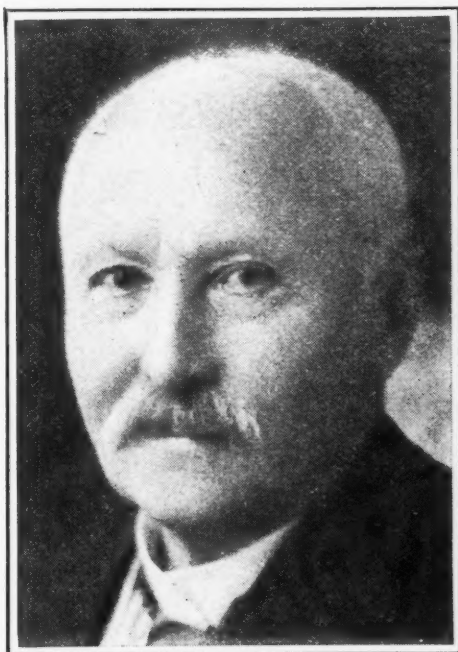
After further detailed description, the question of the reason for the destruction and mass murder is raised and the following statement is made: A great many witnesses declared at the hearing that the civilian population had refrained from any kind of hostilities. Many of them are of the opinion that the German authorities, in good faith or from a desire not to be obliged to admit the soldiers' mistakes, made the city responsible for the shots which were

exchanged among the troops. Other believe that the German Commandant only used the alleged attack by the civilian population as a pretext to destroy the city, according to a plan worked out in advance and in cold blood. The German *White Book*, it is declared on Page 301, "falsifies history."

Who has falsified history? That is the question.

The German Supreme Court instituted a thorough investigation, which resulted in the corroboration of the essential part of the German Government's view. And the Parliamentary Investigation Committee of the Reichstag also occupied itself with our problem. As the Third Sub-Committee had to investigate the violations of international law during the World War, it also had something to say about the Belgian people's warfare and about the events in Louvain, which were only a special phase of that warfare. It expressed the result of its deliberations in a resolution, reading, in part, as follows:

The Committee is convinced that the Belgian people's warfare is a fact which cannot be wiped out of existence by subsequent denials. The sworn statements of numerous German eyewitnesses of all ranks and classes as well as the statements of the Belgians themselves do not appear to be refuted. A general denial, as made in the



PROFESSOR CHRISTIAN MEURER



The main hall of the University Library before its destruction

Belgian *Gray Book*, cannot shake the detailed German evidence and does not stand up under objective criticism.

I participated in the work of the Sub-Committee as an adviser. In my written report on the Belgian people's warfare, which is now in print ("International Law in the World War," third series in the work of the Investigating Committee, published by Joh. Bell, Chairman of the Third Sub-Committee, 1927, Vol. II, 143 ff.), I said:

Decision can be made only by an impartial court possessing the means of verifying the testimony. I must limit myself to observations of opinion. And here the complete untenability of the Belgian viewpoint will be apparent.

A LABORED EXPLANATION

First of all one is struck by the fact that the Belgium Foreign Ministry, which was located far from the scene and was deprived of the means of investigation and review, was ready with its verdict as early as on Aug. 28. Furthermore the Belgian Investigating Commission, because of the circumstances, was not in any position to examine the correctness of the rumors brought before it and to grasp the continuity of the events. But the account in the *Gray Book* is based upon the work of this Investigating Commission, which had been cre-

ated already on Aug. 8 for the purpose of collecting the facts and reports of German violations of military law during the war in order to make them public through the press, or through penny pamphlets, in the interest of the State. In this connection the public was invited to send suitable information to the Ministry of Justice. The Belgian Investigating Commission was in existence before the world and the inhabitants of Belgium themselves were able to know anything about German atrocities. The imagination of the Belgians, who were naturally enraged by the German invasion, who had been frightened out of their peaceful life and dragged into the turmoil of war, worked under high pressure. But a collection of such depositions and reports, mostly supported by mere hearsay, has no value as proof. One notes how labored is the Belgian explanation of the cause of the shooting. The Germans were supposed to have been defeated by the Antwerp troops and to be streaming back toward Louvain, whereas in fact the battle had ended with a German victory. But when one considers that the people of Louvain regarded the return of the German troops, which, because of weariness perhaps, was to a certain extent disorderly, as a retreat, one understands their eagerness to attack and the local extension and the stubborn-

ness of the firing. Furthermore, the fighting is supposed to have been merely stupid shooting between the guards and the German troops. This is certainly the most idiotic thing a person could have thought out. The *Frankfurter Zeitung* of Sept. 2, 1914, tersely labeled such an account as "foolishness" and expresses its opinion as follows:

The assertion that Germans had fired upon the German troops by mistake can spring only from the brain of a man who either has lost his reason under the pressure of events or who considers any means justified if he believes he can thus avenge himself upon the Germans.

It is outrageous to assert that the Germans wished to cover up their own lack of discipline by accusing the Belgian population, or that they had trumped up the civilian attacks in order to destroy the city in cold blood according to a plan already prepared.

Moreover, the firing continued for days and the hostages were led through the city in order to induce the inhabitants to cease shooting. According to the Belgian assumption, this march of the hostages would have been a mere carnival procession.

A GERMAN WITNESS

On Sept. 5, 1914, the *Frankfurter Zeitung* printed the following letter, which a Ger-

man officer had sent to his parents on Aug. 27:

From Liège we proceeded with the train on the 25th as far as Louvain. We arrived in Louvain at 9 o'clock in the evening. Even before the train stopped bullets were rattling against our cars, and when we got out they were whistling around us. We had no idea of what really was going on, and as we stood in the station, which was far back from the street, we were wholly in the dark. It is true that we had heard about a battle with the English in the neighborhood of Louvain, and we believed that the English had broken through and had defeated our men. But we were soon to learn something different. The citizens of Louvain, among whom were Englishmen and Belgian soldiers in civilian clothes and who had conducted themselves very calmly and in a friendly way toward us until that day, had suddenly fired upon our soldiers and upon transports of foodstuffs, munitions and so forth, and, in fact, the shooting had begun over the whole city as if by command. They had even set up a machine gun in a window of a house standing diagonal to the main street. It was a dangerous situation for our corps and division staffs which were quartered in the city. Because of the friendly attitude of the population the city had been stripped of troops, except for a small guard at the railroad station. And of course they had counted upon this. The staffs and the station guards simply would have been butchered off and the railroad station blown up. But, thank the Lord, they had reckoned without their host.

Naturally, they had not suspected that in the evening two more battalions would arrive. Five minutes ahead of us another



The central hall of the Library of Louvain University after the fire

battalion had arrived. A few volleys were fired at the houses, and it became quiet. I was the first one to receive orders to take a detachment of about eighty-five soldiers and search two houses, bring along the men and seize all munitions and arms. I stationed the greater part of my detachment in the broader spaces between the buildings and searched the houses. Everything went well. Right after me other detachments were ordered to do the same.

The houses where munitions and suspicious persons had been found were immediately set on fire and the men were shot. Thus in the night of Tuesday and Wednesday about thirty were shot. Afterwards firing suddenly began again and a number of our men were killed and wounded. That whole section of the city was set on fire. A fearful sight. But the people got what they deserved. Yesterday (Wednesday) we had to guard the station again, for we had been fired upon again. Now houses were again set on fire and about sixty or seventy persons shot, among them several Belgian soldiers in civilian clothes. Then I searched several more streets that had not been bombarded, for arms and munitions, and here heartrending scenes took place. But one has to be hard. Last night we were left in peace, but nevertheless our troops again were fired upon in another section of the city.

In the investigation procedure of the National Supreme Court it was testified that during the search of a hotel a woman had fired a pistol which she had had hidden under her skirts. It was also testified that in a hotel two built-in machine guns were found, with about 250 discharged cartridges lying near each one. As knapsacks of Belgian soldiers, with uniforms packed inside them, were also found, one has to assume that soldiers in civilian clothes were also in action, together with rash civilians. The participation of citizens is also proved by the numerous wounds by small shot found during the medical examination.

TESTIMONY OF DOMINICANS

German newspapers immediately sent reporters to the scene after the Louvain uprising in order to find out the state of affairs and they absolutely confirmed the correctness of the official German account. It is interesting to note what the *Koelnische Volkszeitung* printed at that time about the remarks of Belgian Dominicans who had been eyewitnesses of the fighting in Louvain. According to this paper, the Belgian Dominicans (remember, not German soldiers) said:

On Tuesday, the 25th, in the morning, calm and self-possession were again called for in the churches. At about 5 o'clock in the afternoon of that day fresh German troops arrived, who, like those who had preceded them and who in the meantime had left Louvain, were quartered in the city.

Soon afterward the rumor was spread through the city that English and French were approaching from two sides. At this time one heard the roar of cannon and rifle fire, and immediately scattered shots were fired from the houses upon the soldiers, which resulted in the soldiers being called to arms at 7:30 o'clock in the evening. Then the citizens in greater numbers began firing from the houses upon the Germans. The troops answered with rifle and machine gun fire. The fighting continued during the whole night. Already houses were going up in flames, especially in the railroad station street. The big St. Peter's Church, where arms had been found, was bombarded till it was in ruins. Any one appearing at a window was fired upon. The hostages were gathered together again and taken to the City Hall. Among them were Coenraets, Vice Rector of the University; the Sub-Prior of the Dominicans and two other priests. Under military escort these hostages were conducted from the City Hall through the streets, so that they could warn the population in French and Flemish from the street corners to be calm. This continued until 4 o'clock at night. Nevertheless, firing from the houses went on during this time. The soldiers returned the fire and the conflagrations increased. At noon on Wednesday the hostages were again led through the streets and they announced in both languages that they themselves would be shot unless resistance was abandoned. It was of no use. Even while this round was being made the firing was not stopped and shots were discharged even at the soldiers accompanying the hostages, as well as at the doctor. This disgraceful conduct continued the while night until Thursday. In the boulevard especially, more houses now went up in flames.

An interesting report was made to the *Koelnische Volkszeitung* by Reichstag Deputy Sittart, who went to Louvain on Aug. 31 to get important things for the Franciscans who had fled from Louvain. Here it is said, among other things:

While I was sitting for some time in an automobile in the street awaiting my companion, a number of frightened-looking women, among them the widow of a physician, approached me and inquired if it was probable that the terrible shooting would begin anew. I calmed them and made it clear to them that it depended entirely upon the population whether peace and quiet, or new horrors, were to be expected. During the conversation the women openly admitted that there had been lively firing from the houses. But they averred that it was members of the Citizens' Guard who had made this mistake. They also agreed with me that shooting from ambush was a mistake under all circumstances, and that it was no evidence of courage and soldierly sentiment treacherously to murder the enemy from ambush, instead of opposing him openly in uniform. When I told them that in Aix-la-Chapelle there were soldiers who had been severely injured by fine shot in the Louvain fighting, and therefore could not have been hit by shots from the weapon of a Citizens' Guard, and that, furthermore, women had taken part in the fighting, they condemned

such treacherous conduct. Nevertheless, they complained greatly because so many innocent persons had to suffer with the guilty, and one can well agree with them in that. But this is certainly unavoidable in such cases. But another admission from a competent witness was much more valuable to me. With the fugitive sisters a high member of the clergy had arrived in Aix-la-Chapelle and from him I heard the following:

He had been designated as a hostage, to-

not establish a single case of armed resistance by the civilian population. The investigating procedure of the National Supreme Court also brought out the fact that the Belgians in conversation never really denied that the shooting had been begun by the Belgian side. But they always denied that the population as such had participated or that, as the Belgian Foreign



Interior of the library after its destruction

gether with a number of other Louvain citizens, and requested to read a proclamation in the streets of Louvain, under escort of an officer and a few soldiers, to the effect that he and the other hostages would be shot and the city bombarded if the population were guilty of acts of violence against the troops. Even before he had finished reading shots were fired upon the soldiers and our men wanted to seize him, but the officer restrained them and told the priest, who was shocked at such treachery, that he might seek protection in a neighboring cloister. The next day he went to Germany with the inmates of that cloister and rejoiced at the peace and order prevailing there. So out of the mouths of the common people, as well as from the declaration of the highly placed priest, who occupies an important position at the University of Louvain, I received the confession that the treacherous firing actually had taken place.

The Belgians do not deny that individual acts of hostility could have occurred, but the Belgian Investigating Commission did

Minister, Vandervelde, expressed it in his "*Rapport*" on the resolution of the German Parliamentary Investigating Committee on July 23, 1927, there had been an uprising "of whole cities and villages." This is merely a dispute over words. Germany never asserted that the whole population of Louvain, or the whole city, was in revolt. But there was firing from many houses in different places and streets, and this shooting, which continued to spread, lasted, with interruptions, several days. The Belgian Government itself must admit that there was firing in quite distinct parts of the city.

The case of Louvain is not an isolated one. All the armies that marched through Belgium encountered the same resistance and had the same experiences as the Fourth Army in Louvain. For instance, the First Army in Aerschot, the Second in Andenne,



Exterior of the library in 1914, showing the havoc wrought by the Germans

the Third in Dinant, not to speak of other places mentioned in the *White Book*. At first the Belgian newspapers proudly reported these patriotic deeds until the Government apparently warned them against it. And, as one can see from the incomplete collection of these press accounts in my report, not merely here and there a paper, but practically the whole Belgian press used the same tone, just as today it contrarily unanimously disputes any hostile action by the population. Either there was lying then, or there is lying now. At all events there was lying. I pointed out in my opinion, that in Belgium the Citizens' Guard, with its uncertain field of activity, was largely responsible, but that, besides, the most favorable preliminary conditions for international war had been created in Belgium and that during the war the seed sprang up that had been scattered in time of peace.

It is remarkable that the German troops, which were on so many fields of battle, encountered armed resistance by the population in Belgium only. Naturally, the Germans, thus treacherously attacked, acted vigorously.

We have always been able to understand

the American General, Sherman, who issued the following order in 1864:

In case inhabitants of the country or bushwhackers disturb our march, or in case the inhabitants burn bridges, cut roads, or make any such local resistance, army commanders should order and enforce a devastation more or less relentless according to the measure of such hostility.

LOUVAIN NOT "HEAP OF RUINS"

The Belgians do not want to admit that they themselves were guilty of acts of destruction. Moreover, they take pleasure in boundless exaggerations. For example, immediately after the bloody events the cry went out from Belgium through the world: "Louvain is a heap of ruins!"

Regarding the appearance of Louvain after the fighting already described, the *Frankfurter Zeitung* of Sept. 3, 1914, printed the following report by a wholesale merchant of Aix-la-Chapelle, who had made a trip through the occupied Belgian territory:

It is certainly a fact that a large number of the inhabitants of Louvain carried out a contemptible, murderous attack upon our troops and killed or wounded quite a number of our soldiers, among them many members of the Landsturm [last reserves], and

that the German military forces visited exemplary punishment upon the city because of the abominable crimes thus committed, but Louvain certainly has not been converted into a heap of ruins. I have made a careful personal inspection and consequently am able to establish the fact that first of all, the railroad station in Louvain is not damaged at all. In the broad street leading from the station to the city, of course, the houses on both sides from which the treacherous gangs fired upon our troops were shot to ruins, and in the big square in front of the City Hall the corner houses, where the *francs-tireurs* had their main posts, were subjected to a devastating fire. The City Hall itself is not damaged; only a few window panes were broken. And the treasure from St. Peter's Church, which is also occupied, has been brought to the City Hall and is in safety. St. Peter's Church itself was materially damaged in one wing by cannon shots. In the working-class section of Louvain about fifty houses were shot to ruins, but the German military authorities had given the inhabitants notice of this act of reprisal, and allowed them time to evacuate the houses. That in spite of this precaution, the guilty ones, in so far as one has been able to get hold of them, have not been allowed to escape, is a matter of course. This is how "Louvain in Ruins," looks. In the face of such exaggerated rumors, I, as an unprejudiced witness, confirm the fact that at least three-quarters of the City of Louvain stands there as undamaged as it was before.

For the purpose of a ruthless establishment of the truth of the matter, the *Frankfurter Zeitung* sent a special reporter

(F. Schotthoefer) to Louvain, who, on Sept. 7, 1914, wired the following message:

Through a thorough inspection of Louvain, I have been able to convince myself that four-fifths of the city is undamaged. The number of destroyed houses hardly exceeds 150. Above all, the beautiful Gothic City Hall, which because of the scaffolding used in the present work of restoration seemed to be in especial danger of fire, was maintained entirely undamaged through the efforts of the German soldiers. Some of the buildings in the adjoining blocks were blown up in order to isolate the City Hall. Only the woodwork of the roof of the Cathedral, which stands opposite and which was fired by sparks, is burned away. [Author's note—Because of the height of the building the work of extinguishing the flames was not entirely effective. The work of blowing up surrounding buildings was carried out by a company of railroad construction troops that luckily happened to be in the station.] The interior, with the exception of some small holes in the ceiling of the arch, is undamaged. The paintings did not suffer, nor did the church's treasure. During the fire the German officers brought the altar paintings by Dirik Bouts, Rogier van der Weyden and others to the City Hall where they now are. Unfortunately, the library, which also caught fire from sparks, could not be saved. The library is burned out inside, but the façade of the building remained standing. But this is the only irreparable loss. Most of the destroyed houses were modern structures without artistic or historic significance. The exterior of the Gothic halls of the university is



The ruined interior of the Louvain Cathedral as it appeared in 1914

saved. The hardest hit were the railroad street and its side alleys, Namur and Tirlemont Streets and some others. One notes everywhere that only the houses from which shots had been fired were involved, because in every street houses were left standing. The population has returned and is beginning to resume its regular life.

The Germans were absolutely justified in using drastic reprisals to crush the Belgian people's warfare, yet now the Belgians fill the world with their complaints about German terrorism. Of course reprisals, which pile one wrong upon another, must also be kept in proportion to the misdeeds and, just as self-defense can exceed its legal limits, so, too, reprisals under international law can go too far. We shall not oppose an impartial examination of the facts along this line. But first of all the cardinal question of the people's warfare must be decided. As the Belgians deny the fact of the people's warfare, they declare the Germans to be common murderers and incendiaries. But from the viewpoint of reprisals everything looks different. We shall not allow attention to be diverted from the cardinal point, i. e., that of the people's warfare, which first forced the Germans to reprisals, by complaints about German harshness and the telling of touching, or even irrelevant details.

BURNING OF UNIVERSITY LIBRARY

The world, Germany included, was horrified at the burning of the university's library. It was a matter of one of the "halls," which consist of the administration rooms of the university and of a large ante-room of the Court of Justice (*Salle des pas-perdus*), from which a stairway led to the library on the first floor. The Belgian "*Rapports et Documents d'Enquête*," (Premier volume—Tome II, p. 73) declare briefly that the Germans must have set this on fire: "Fire must have been set to several sides of the building," and then further along they say, "Later, when one digs through the ruins one will find several kinds of incendiary tubes" [!]. But no German soldier had entered the library, the doors of which, as the "*Rapports*" themselves point out, were bolted and barricaded on the inside. German soldiers were quartered only in the basement and they had left after a little while. At 10 o'clock in the evening the porter had found everything all right, and when he went up into the library a second time he was met by smoke. That German soldiers would especially seek out the library to set it on fire is more than

improbable, as they could hardly have been aware of its existence. Rather, according to all the circumstances to be considered, it can very well be taken for a certainty that it was set on fire by the sparks from the burning houses in the immediate vicinity. Indeed, several Belgian eye-witnesses saw the sheets of fire and the rain of sparks themselves. With the wind that was blowing and the extremely rich wooden decorations, the flames found plenty of food.

It probably would have been possible to have saved the university building, together with the library, from the flames if even the simplest provisions against the danger of fire had been at hand. The Swiss architect, Eugen Probst, writes about this as follows in a pamphlet published in Zurich in 1916: "The windows of the extensive library opened, unprotected, upon the rear walls and the yards of small private houses, and there was no arrangement of any sort for protecting the library from the danger of fire. In no place did a fire-wall separate the library from the adjoining houses, and close to the entrance to the university, in the same building, a saloon was kept. There were no hydrants in the interior of the building. Neither the house warden, nor the librarian, Delannoy, nor any one of the professors was on the spot, to save the most valuable manuscripts or to direct the work of rescue."

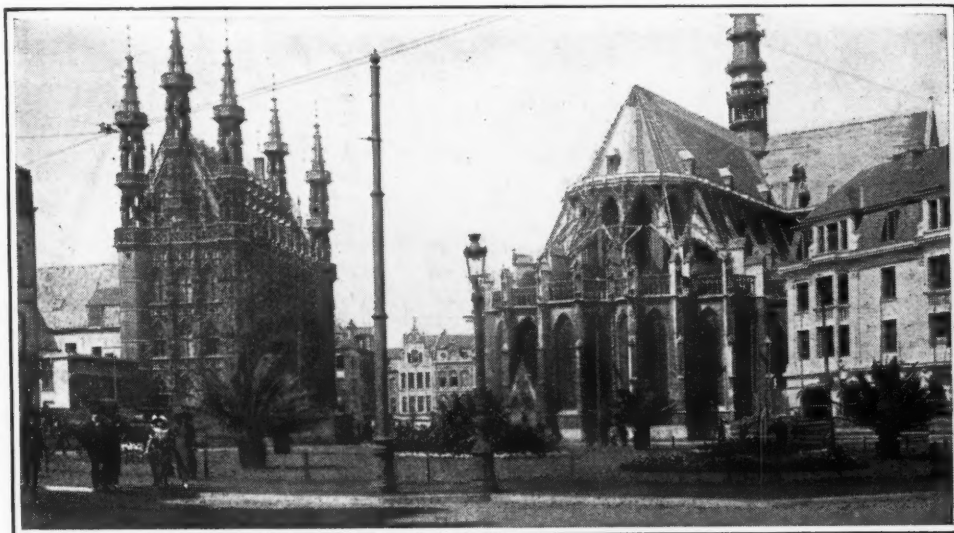
German troops at that time carried the valuable paintings from the burning church in safety to the City Hall opposite, and they probably would have done the same with the most important contents of the library if they had been aware of their presence. There is not a single word in the official report about the rescue work of the German troops in those days, which was carried on under the two-fold danger of the flames and the fire of the Belgians and which was chiefly responsible for the saving of the City Hall, although they are accused, again without more exact charges, of having wrecked the water conduits, again something that would have been quite nonsensical.

A short time after the fire the city architect, Vingerhoet, and the Professor of Archeology, Lemaire, searched in the still-glowing ashes for books, and in all probability found some. The rumor that valuable manuscripts were saved and brought to Germany is first of all opposed by the fact that the German troops then in Louvain could hardly have known that there were valuable printed works and manu-

scripts in the library. Furthermore, the Vice Rector, Mgr. van Cauwenbergh, told the Director of the University Library in Breslau, Privy Councillor Milkau, who had been entrusted with the investigation of the condition of the Belgian libraries, that everything that the university had possessed of value, all that it cherished as traditions, the busts and portraits of the Louvain scholars, the entire archives, including the foundation charter, all the

of whole cloth. The German troops engaged in an advance indeed had no time and no room to seize such things and carry them along. Furthermore, during the steady advance they would hardly have thought about stealing such things.

These assertions may be countered rather by the little known fact that immediately after the burning of Louvain there was plundering by Belgian inhabitants. This has been attested to by the Belgian Attor-



Times Wide World

The Town Hall of Louvain, which was spared in the wreck of war, and the Cathedral, photographed during its restoration

manuscripts, had been destroyed by the fire.

In August, 1917, the Germans, with the knowledge and consent of the officials of the Louvain University, had excavations made by experts in the fire debris, at places two meters deep, and the remains of charred books were found. And also at that time it was suggested by the Germans that they would be willing to participate, by giving up duplicate copies from German libraries and by taking part in the collections, in the restoration of the library during the war. Nevertheless, these suggestions had no result, because the university circles of Louvain refused to cooperate.

BOOKS AND TREASURES NOT STOLEN

The frequently recurring assertion that the Germans carried off books and valuable articles during the burning of the university can only be characterized as a lie out

ney General himself. For instance, among the requests for pardon handed by the Attorney General to the German Governor General in 1915 there were fifteen pleas for condemned persons who had participated in plundering in Louvain.

After this digression let us return to the main question.

Is the Belgian people's warfare only a German legend, or is it a historic truth? First of all this question needs to be cleared up and decided. We are far from esteeming our well-grounded position to be already an authoritative decision for the world. On this point I pointed out the following in my opinion on the violations of the laws covering prisoners of war (III. 2B. 862):

The German complaints are based on sworn testimony by credible persons taken in a strictly juridical manner and critically examined. From the outset they were not intended to serve a horror propaganda, but to establish the truth. One notes this right

through the testimony. The fine gradations in the charges are almost outdone by the carefully selected scale in the admissions. Persons who are desirous only of avenging themselves upon an enemy do not testify that way.

But nevertheless I must make the following declaration for my four reports (Printed in "International Law in the World War"):

I have avoided the mistakes of our opponents in counting accusations as truths. In fact, the so-called established truths of our opponents are only accusations. War psychology leads to exaggerations and accepts things invented by one's self as truths. This is true generally. The contradictory procedure often results in a different picture than one might have expected after the preliminary examination. In my reports there were considered, I admit, only such charges as must be taken seriously and which must be reckoned with. In case the opposing side still tries arrogantly to shake off the charges, then let destiny have its way.

In my reports on the "Belgian people's

warfare" (ibid. II, 185) I again remarked with especial emphasis: "Why did the victors after the war refuse the German demand for an international investigation?"

A short while ago it looked as though my wish might be realized. The Belgian Foreign Minister, Vandervelde, had declared to the German Government that he was willing to consent to an investigation by an international commission, but under the pressure of the Belgian Cabinet and presumably of still other forces, he had to withdraw his assent.

The matter cannot be left standing this way. The Germans, as well as the Belgians, are partisan. Only a non-partisan establishing of the facts can allay the strife and bring us back to a condition of genuine peace. Not by speeches, but by deeds, will the world receive what it wants: real peace, true security.

II—The Belgian Rejoinder

By FERNAND MAYENCE

PROFESSOR AT THE UNIVERSITY OF LOUVAIN, BELGIUM

THE sack of Louvain constitutes one of the tragically celebrated episodes of the invasion of Belgium by the German Army in 1914. On August 25 and the following days the German Imperial troops, at the order of their commanders, put to death 209 inhabitants, among whom were eight old men over 70-years of age, twenty-one women, seven of whom were over 60 years of age, and eleven children, among whom was one 18 months old, and one only 6 months old; they burned the St. Pierre Church, the university halls and the large library which it contained, the Palais de Justice, the Academy of Fine Arts and over 1,100 private houses; they deported to Germany 600 inhabitants of Louvain, 100 of whom were women and children; finally, they expelled all the population of Louvain (about 40,000 people) from their homes, leaving what remained of the old Brabant city to the mercy of their soldiers.

The pretext for all these horrors was a so-called attack by the population who, in execution of a long premeditated plan, allegedly assailed the German troops. Some days after the town was sacked Emperor William, in a famous telegram, informed the whole world that his army, in order to defend itself against the inhabitants of

Louvain, had been compelled to destroy the University City * * * and that his heart was bleeding.

The charge was made, it must be supported. In the month of September, 1914, the Imperial Government organized an investigation, the results of which appeared in May, 1915, in a *White Book* entitled "*Die Völkerrechtswidrige Führung des Belgischen Volkskriegs*" ["The Conduct of the Belgian People's War in Defiance of International Law"]. This publication appeared to every impartial mind to be a tissue of improbabilities, contradictions and errors; it was not difficult to show the groundlessness of its conclusions. [F. Mayence: *L'Armée allemande à Louvain et le livre blanc*. Louvain, 1919.]

After the fall of the Imperial Government the Government of the new Germany, though it did not disavow the investigation, maintained silence regarding the destruction and massacres committed in Belgium during the first weeks of the invasion. Many Belgians naively imagined that the legends invented by the 1914 commission had been definitely abandoned; they were not far from believing that no one in Germany, with the exception of a few fanatics, gave any further credence to the fantastic



PROFESSOR FERNAND MAYENCE

tales that had sprung from what has been called the "war psychosis." They were soon forced to admit that this was a delusion.

And, in fact, the Parliamentary Commission of the Reichstag, recently created to investigate and report upon the conduct of the German troops during the invasion of Belgian territory, declared that the guerilla warfare charged was a proved fact; it declared, moreover, that numerous acts of inhuman cruelty were committed by Belgian civilians against the German soldiers, while the Imperial army, in the reprisals to which it was compelled to resort, did not depart from the duties imposed by the laws of humanity.

These charges are based on the report of the expert, Professor Meurer, of the University of Würzburg, published in 1927 in the official publication *Völkerrecht im Weltkrieg*, [International Law in the World War] 1914-1918, Vol. II, pp. 129-261. The author takes up and at times amplifies all the assertions of the *White Book* of 1915. The Reichstag Commission, disregarding the protests raised against this report, not long ago (on March 29, 1928) confirmed purely and simply its previous statements.

This new offensive of error, the more pernicious because based on the prestige of German scholarship, must be met by a propaganda of truth. Encouraged and supported by the Municipal Government, the judicial authorities and the whole population of Louvain, we have undertaken on the strict basis of scientific research a campaign against the charges of Professor Meurer and the Reichstag Commission. A pamphlet, with a preface by the legal representatives of all the inhabitants of our city, has recently been published under the title: *La Légende des Francs-tireurs de Louvain* ["The Legend of the Irregular Sharpshooters of Louvain"]. It will be widely distributed in English, German, Spanish and Italian translations amongst University circles and will reveal to the intellectual élite of all nations the true value to be attributed to Professor Meurer's charges.

Certain organs of the German press accuse us of carrying on a Germanophobe campaign and of opposing the magnanimous efforts being made on all sides to restore harmony among the nations. Should we then permit Professor Meurer and the Reichstag Commission to distort the facts and dishonor the memory of the victims of the Imperial army? And when the unanimous voice of a whole calumniated city rises, without hatred, without passion, but with all the energy imparted by being conscious of the justice of one's cause, to reply to the unjust attacks made upon it, should it be accused of betraying the cause of peace? To track down error and reveal the truth, is that not working for the establishment of true peace and for reconciliation between all men of good will?

We give in the following pages in brief form, the story of the tragic days as it was revealed after a minute investigation made on the spot immediately after the events, and conducted, we can formally guarantee, in accordance with all principles of historical method.

The first German troops entered Louvain on Wednesday, Aug. 19, 1914, toward one o'clock in the afternoon. During the first week of occupation, the population was subjected to iron discipline: excessive requisitions, taking of hostages, searches, threatening proclamations speaking only of burning and shooting without mercy—every means was employed by the military authorities to terrorize the inhabitants.

On Aug. 25 during the afternoon, numerous troops arrived in Louvain; they took

quarters in the citizens' houses, intending to pass the night in the city and to resume their march the next day. Suddenly toward 6 o'clock, the alarm was sounded. The roar of far-off cannon was heard; the Belgian army had made a sortie from Antwerp and had reached a point within ten kilometers of Louvain. The troops, now awake and active, marched to the place of assembly; certain detachments were sent to the front; others remained in the city.

Eight o'clock had just rung, when, in several parts of the town, one or two shots resounded. Who fired? Where the investigation made it possible to ascertain the facts, it was proved that the shooting was done by German soldiers. These shots spread panic among the troops; the frightened soldiers began to shoot in every direction. Machine guns were brought into action to reply to the attack of the enemy, who, according to the depositions of the Germans themselves, could not be identified as Belgians, British or French. Repeated and continuous shots rang out. Soldiers and officers fell, runaway horses dragged driverless carts behind them; wild confusion prevailed. The commanders had a difficult task to restore a degree of order, and only after many efforts did they succeed in putting a stop to the firing. Dead and wounded lay scattered on the ground. Of whom had they been the victims?

The judgment was speedily pronounced; of the irregular sharpshooters. Whereupon the German soldiers and officers burst brutally into the houses whose frightened inhabitants, through fear of the fusillade, had taken refuge in the backrooms and in the cellars. A few hapless victims were struck by the bullets of certain soldiers who, to defend themselves against an imaginary enemy, continued shooting inside the houses. Men, women, old men, children were all driven out of their homes; some were assassinated; others were led, under a strong guard, amidst shouts and insults of every kind, to different places of concentration. Meanwhile, companies of soldiers began their sinister work of incendiarism, setting fire to the houses, to public buildings, to the Library of the University.

On Wednesday, the 26th, the pursuit of the so-called francs-tireurs began still more energetically in the districts which had escaped the flames. The men were arrested; the women were notified to assemble at the railway station whence a considerable number—more than 100—some of them with infants, were deported to Germany. Packed into stock cars, these unhappy

women had to endure a terrible journey of more than sixty hours, their only sustenance a little black bread and water. They were liberated only on Sept. 27.

GERMAN CRUELITIES

As for the men arrested, they had diverse experiences; some had to march at the head of the troops and food convoys crossing the city and they were the luckiest ones; others were treated like playthings by the soldiery, made to run, then to kneel, and then to run again. They were told that they were to be shot, and when all was ready for the execution, the order was given to march on until a more favorable spot was found, and this infamous comedy was repeated several times, renewing in the soul of these unhappy wretches the agonies of belief that their last moment had come. Others were led to the station square, where they were so tightly tied together that they could not even move, and were forced to remain in this position until 6 o'clock in the morning of the next day (Thursday), in the rain, without food or drink, exposed to all the abuse of officers and soldiers who threatened every moment to finish them off. Other groups of prisoners were deported to Germany, where they had to endure five months of captivity.

On Thursday, the 27th, under the ridiculous pretext that the people of Louvain were continuing to fire on the German troops, all the inhabitants were ordered to evacuate the city before noon, for at that hour the town was to be bombarded and not a stone would be left intact. Then began the tragic exodus of the whole crazed population starting out with a few articles of clothing and scanty provisions snatched up at random upon the sad road of exile. The bombardment that had been announced was limited to a few cannon shots. The evacuated city was delivered over to pillage.

CONTRAST WITH GERMAN VERSION

Such is the history of the sack of Louvain. And here follows this account of the German Commission of Investigation taken up by Professor Meurer and twice confirmed by the Reichstag Commission:

The inhabitants of Louvain, paid especially by members of the clergy, had long been preparing a revolt against the German troops. On the evening of Aug. 25 they judged the moment favorable for carrying out their project. A signal was given, and they opened a terrible fire on the German soldiers with guns, revolvers, pistols and even machine guns and hand grenades; they poured burning tar on the troops. In

their fury they attacked members of the medical staff, and sick and wounded men; they committed nameless cruelties and inflicted on the German soldiers acts of sadism worthy of the most savage tribes. The inhabitants who had taken part in the attack were immediately shot and the houses from which the shots had come were set on fire. The battle lasted all through the night of Aug. 25-26, all through the day of the 26th, and through the night of Aug. 26-27. On the 27th the German Army, unable to control the population, had the city evacuated.

The improbability of such an account is obvious. Who will believe that it took the German army three days to crush the unhappy population of Louvain, completely disarmed and terrorized since the first evening of the alleged revolt by massacres and burnings? The people are accused of having used machine guns and hand grenades. But they hardly knew the name of this war implement; moreover, hand grenades were not used in the Belgian Army until the beginning of 1915. And how explain that after four years of occupation the German military authority, aided by numerous secret police agents whom it had at its disposition, never succeeded in finding the least trace of this alleged conspiracy? Is it not absurd to suppose that 40,000 conspirators, representing every shade of political opinions and belonging to all parties, succeeded in preserving to this day the most complete silence regarding a plot which so lamentably failed? If any francs-tireurs had existed, would there not have been one or two to boast after the war, when it was no longer dangerous to speak, of an exploit which he considered glorious? And would we see the population of Louvain so divided from all points of view, rising up today en masse to protest against the conclusions of the German reports?

The fantastic tale of the revolt of the inhabitants of Louvain taken up by Professor Meurer is the work of the Commission of Investigation of 1914. Now, what confidence can one have in the labors of that commission? It was presided over by Dr. Ivers, who subsequently (Nov. 29, 1916) was sentenced by the Criminal Court of Berlin to nine months of imprisonment for extortion of funds and exaction of hush money in the exercise of his profession as a lawyer. The trial revealed that this Dr. Ivers was an inebriate and an addict of morphine. His counsel appealed to the pity of the judges on the ground that his client could not have any comprehension of justice, inasmuch as he was utterly lacking in moral sense.



Effect of machine gun fire on house in Louvain when attacked by German troops

The commission summoned before it a number of notable people of Louvain, among them Mgr. Ladeuze, rector of the university, and several professors. The questions put to these witnesses were farcical; they were unable to speak freely; they were allowed only to answer the questions asked of them, and the investigating Judge even tried to distort their answers. Even taken under such conditions, these depositions must have appeared to the commission too incriminating, for they were not reproduced in the report. With one exception (a simple sworn statement by M. A. Lemaire, professor at the university, declaring that the German soldiers billeted in his house during the week preceding the sack of the town had given no cause for complaint), the *White Book* contains only German depositions.

GERMAN POINTS CONTRADICTED

We cannot, in the space of this brief article, refute point by point the assertions of the report, so we will limit ourselves to citing a few examples which will suffice to form a judgment of its value:

1—The report declares that the fire was accidentally spread to the Saint-Pierre



A photograph of the theatre in Louvain almost immediately after it was wrecked by the Germans in 1914 and its famous mural paintings were destroyed

Church by sparks from the burning houses of the francs-tireurs. If we enter the church we will immediately be convinced of the contrary, for despite the restorations there are still very visible traces of a number of fires lighted inside the church.

2—According to the report, there are visible on the wall of the Colettines convent numerous traces of gunshots fired beyond all doubt by the francs-tireurs posted on the upper floors of the houses across the street. Now we find there in all six bullet marks, at a height of 2m. 50 at least. If the statement of the Investigation Commission is correct, we should have to admit that the francs-tireurs posted on the floors of the houses and wishing to shoot the German soldiers in the street would have been clumsy enough to fire at the wall across the street, at the height of 2m. 50! From examination of these places, it results from all evidence that these bullet marks came from shots fired from the street, a few yards away: now from the admission of the *White Book* itself, there were only German soldiers in the street at that time.

And those are the only traces which the violent fusillade of the francs-tireurs left on the walls of the city! The commission found no others. It was very careful not to refer to the houses that escaped the fire and whose fronts were riddled with bullets by the German soldiers.

3—The commission declares—and Professor Meurer repeats this—that the inhabitants killed during those tragic days were convicted of having taken part in the revolt. *We deny this statement categorically. We have been able to reconstruct the circumstances under which each one of the victims met death, and we can assert most emphatically that all these unfortunate beings were murdered without cause and perished suffocated in the burning of their houses.*

4—Professor Meurer, repeating one of the conclusions of the investigation of 1914, says that the inhabitants of Louvain inflicted revolting mutilations on the German soldiers. To support this infamous charge he can invoke only the evidence of the soldier Westerkamp (Deposition No. 37). Now, what does this witness say?

I saw a soldier pass by, borne on a stretcher. I learned that during a patrol of the city he had been surprised by several inhabitants, and that they had inflicted on him an odious mutilation. * * * A few days later I met Lieutenant Forster. He told me that acts of sadism defying all imagination had been inflicted on German soldiers.

These German soldiers—who are they? This is not revealed and it is solely on the basis of these stories that the Commission of Investigation and Professor Meurer bring such infamous charges against the inhabitants of Louvain!

The formal act of accusation drawn up

by the defenders of the Imperial army contains only depositions in which vagueness vies with improbability.

That a number of German officers and soldiers may have been sincere in declaring that they had been attacked by the population, we are far from denying. These witnesses were caught in the darkness by a violent affray during which they could not recognize those who were handling the guns whose shots they heard and saw. And to the German soldiers, whose minds had been excited by the obsessing fear of the franc-tireur, as soon as a shot rang out it could be only the work of those terrible enemies who could never be seized and who were never more than phantoms. Most of the German witnesses declare that they heard shots; only about ten of them allege that they saw the francs-tireurs; each one of these witnesses may be convicted of bearing false witness (we ourselves have demonstrated this in the work cited above).

What shall we say of a method like that of Professor Meurer, who accepts without control or criticism all evidence, even the most open to suspicion, from German sources, and systematically ignores all Belgian evidence, as well as everything else which has been published in Belgium about the sack of Louvain? He even goes so far as to declare, regarding the investigations of Cardinal Mercier and the other Bishops of Belgium, that "the evidence of the Bishops bearing on events which developed far from the seat of their Bishopric, has no value." For Professor Meurer the statements made under oath by Cardinal Mercier are not worthy of consideration! Bad faith or incompetence? We find it difficult to find any other alternative.

We had the right to expect from Professor Meurer's report an explanation of the act of vandalism involved in the burning of the university library; like the Commission of Investigation of 1914 he maintains on this subject the most obstinate silence.

On our part we have neglected no source of information. In our refutation of the *White Book* we reproduced and discussed all the German depositions without omitting one. No point was left obscured, all the official documents of the trial were placed before the readers; we are convinced that we adhered rigidly to the principle of scientific honesty.

But without believing in a methodical attack may we not suppose that certain inhabitants, urged on by a patriotism as foolish as it was futile, might have fired a few shots at the German soldiers? On

the day following the events, on the repeated statements of the military authorities that civilians had fired the shots, we believed this ourselves; like many others we could not imagine that the German Army would take such cruel reprisals if at least a pretext therefor had not been afforded it. It was in that state of mind that we began our investigation. Well, we declare honestly and conscientiously that despite all our researches we have not been able to conclude that a single shot was fired by a civilian.

The advocates of the Imperial Army, utterly unable to prove the truth of their thesis, seek a last argument in the refusal of the Belgian Government to agree to the proposal of an international investigation made in 1927 by the German Government. They do not realize that this argument turns against themselves. As a matter of fact it was Belgium who first, in 1915, asked for an international investigation; Germany refused. How can Germany, therefore, have a grievance against the Belgian Government today for having refused an offer which she herself rejected soon after the events, when the traces of the crime were still fresh? Belgium has nothing to fear from the most searching investigation, but she does not intend to allow herself to be used as a tool by those who wish to distort the undisputed facts of history.

IMPARTIAL INVESTIGATION DESIRED

For our part, we ardently long for the day when a commission of historians will come, free from all political ideas, to examine on the spot the respective value of the investigations made by the Belgian Government and the German Government. This would not be a case for the discussion of questions like that of war responsibility, where the interpretation of the facts plays a certain rôle and where, consequently, the opinions of people of equally good faith may be diametrically opposed; it would be solely a case for setting forth facts, the evidence for which convinces every mind which sincerely seeks the truth.

We believe we do not err in declaring that the intellectual élite of Belgium would welcome an initiative for such a project by some great and impartial institution of historical documentation like the Carnegie Endowment for International Peace. In so doing it would perform a signal service to history and would greatly contribute to raising the standards of international morality.

Rumania's Political Unrest

By AURELIU ION POPESCU

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PRESENT events in Rumania—the conflict in progress between the agricultural and the industrial interests, the march of the peasants, the Carolist attempts and the sensational and superficial aspects are but part of a deeper movement that must be traced back to at least the period before the war.

Rumania was then predominantly an agricultural country, with 43 per cent. of the land belonging to about 1,665 big latifundary landlords and 57 per cent. to about 1,000,000 peasants. The relationship between the peasant and the landlord was not of the best. Although serfdom was abolished in 1867, a new kind of serfdom known as neo-feudalism arose between 1867 and 1914. The land was concentrated in a few hands and the bargaining power of the landlords, and especially of their intermediaries—for most of the big landlords were absentees—was much greater than that of the peasant. Industries had not yet developed and the peasant had to work on the landlord's terms or starve. In fact, Rumania was a representative case of peasant exploitation, Marx in his famous book actually citing the Rumanian principalities as an example.

It became increasingly clear to all the farsighted Rumanian politicians that the only remedy was land expropriation and the creation of free and independent peasant proprietors. A series of agrarian reforms was consequently begun in 1864 with the expropriation of monastic lands, followed in 1889 by the expropriation of most of the State domains. But the problem was not solved, and with the growth of population the exploitation of the peasant by the landlord became increasingly ruthless and culminated in the famous peasant jacqueries of 1907, in which 7,000 peasants were shot by the "democratic and peasant loving" General Averescu. There followed some mild reforms, intended to regulate the relations between the peasant and the landlord. But they accomplished little, for there was usually no means of enforcing them and when administrative agencies did exist they were in the hands of the landlords.

The franchise was limited to the "safe" classes, and two political parties, somewhat

like the British two-party system, disputed for power. The Conservative Party, weak and divided, commanded votes through ownership of large estates. Politically, it was on the defensive. The Liberal Party, which continued the tradition of continental liberalism, depended on the lower and middle classes and created an economic frame in preparation for a united Rumania in the future. The Liberals, taking the offensive, immediately after 1907 began to press for two changes—universal manhood suffrage and agrarian reform. Both reforms were under discussion in the Liberal Parliament of 1914. Soon after the World War began they were temporarily postponed, but in 1917, when the Russian revolution came, the late King had to go among the peasants and solemnly promise them these measures; for as the Russian revolution developed it was clear to all Rumanians that the two reforms must be passed quickly so that the country could develop on Western European lines, or things would drift toward Communism. Already the Russian soldiers had left the Rumanian front and were trying to convert Rumanian peasants. After two years' fighting under the most depressing conditions, in which 800,000 Rumanians died in action or from disease, the peasant could not be asked to go back to the old agrarian relationship. Realist as he is, he identified the land with the country for which he fought. As he began to feel his power he pressed for the immediate enactment of the two laws, especially the agrarian reform. Between 1919 and 1921 the laws were passed. The price of the land was fixed on the basis of forty times the 1917 rental value of the land and State bonds were given to the landlords in exchange. Moreover, the State paid half of the value of the land as a kind of war bonus. After 1920 came the unprecedented fall in all European exchanges which reduced the value of the bonds about one-twentieth of the actual value of the land, but the settlement could not be touched for obvious social reasons. It is in the details of the settlement rather than in the agrarian reform itself that the influence of Bolshevism in Rumania showed itself. Even the landlords accepted the situ-

ation, for the agrarian reform left them with a part of the land, some monetary compensation and the forests still untouched. This was more than former landlords in other countries received. The reform was, of course, extended to the newly acquired provinces, excepting Bessarabia, where the local Parliament passed an even more drastic reform which Rumania had to accept as a condition of the union.

In Transylvania the reform was indiscriminately applied. However, to contend, as the Hungarians do, that it was applied there for the purpose of expropriating the Hungarian landlords as Hungarians and not as landlords is to misinterpret the whole of the agrarian reforms in Rumania. Knowing the situation from the inside and having lived in the midst of those events, I can state without any hesitation that, were it not for the reforms, Bolshevism would have swept Rumania in 1919, and if that had not happened, the problem of stopping it in Hungary would have been insurmountable. If Rumania and Hungary had turned Bolshevik, the Balkans, Poland and the border States would have been compelled to follow suit. It is very doubtful whether Austria, Czechoslovakia, Italy, Spain, Portugal and Germany could have resisted the on-sweeping tide. In any case Europe, half Communist, would have had a different history in the post-war period.

The war, those reforms and the union with the new provinces destroyed the pre-war political symmetry of the two-party system in Rumania. As the result of the agrarian reform and of the pro-German tendency of its leader, the Conservative party was completely destroyed. On the other hand, the Liberal Party under the concentrated attack of peasant radicalism and socialism swung to the right and became the defender of vested interests. During a period when new creeds were being formulated and old social relationships demolished, the Liberal Party had no choice except to turn conservative. In this respect at least Rumania illustrates the exhaustion of the old liberalism which necessitates its reconstruction or disappearance. In Rumania conservatism, deprived of its old stronghold, the landed estates, now clings to the financial, industrial and commercial interests.

The creation of millions of small but independent peasant proprietors as a result of the agrarian reform led to the recreation of a new political party, the National Peasant Party, which, starting in 1919 as a small group of left wing parliamentarians,

slowly developed a political creed reflecting local conditions. The Transylvanian National Party, the old national vanguard



KING MIHAI OF RUMANIA
Grandson of King Ferdinand I and son of
Prince Carol and Princess Helen of Greece.
He was born on Oct. 25, 1921

which before the war fought against Austro-Hungarian tyranny, also joined the Peasant Party, the leadership going to Iuliu Maniu, the former head of the National Party.

While the new political ideas of the National Peasant Party were being formulated and its program pruned—the party has especially avoided antagonizing the social classes contrary to the Stambuliski policy of fighting on two fronts, both against the Communists—the Liberal Party in order to relieve the tension and at the same time preserve its supremacy by imposing an economic program which would strengthen the classes it represented, especially the clique revolving around the Bratianu family, appealed to General Averescu. He had left the army immediately after the war and formed a league, later transformed into the People's Party, with an opportunist program shelved at the first approach to power. Both in 1920, 1922 and in 1926-1927, the Averescu Governments were characterized by their utter lack of ability to deal realistically and radically with Rumania's pressing problems. If the country has made tremendous strides since the war, they are due to the inevitable recovery of the post-war period, and above all to the hard work of the peasants. Averescu's party is now completely eclipsed. The death of King Ferdinand and of Bratianu, the old leader of the Liberal Party, the great figure of Rumanian politics and the virtual ruler of the country, has brought the two political forces, the Liberal Party and the National Peasant Party, face to face. The program of the Liberal Party as such is now exhausted. It governs by virtue of the past. It is now the party representing the financial, banking, industrial and commercial interests and favoring high tariffs, trusts and monopolies. It stands for national economic development, but its nationalism is narrow in two respects, for it seems to confuse the nation with the sychophantic clique revolving around the Bratianu family, and it impedes economic cooperation with other nations from which Rumania can profit. No rational exploitation of Rumanian resources is possible at the present time without foreign capital which has not only

not been sought but actually antagonized by these interests.

The National Peasant Party represents the economic and political interests of the mass of Rumanian peasantry. It has not ruled so far, but it is more likely to follow a large national policy for the advancement of all social classes than the Liberal Party. It stands for the cooperative organization of the Rumanian peasantry for the purpose of securing to the latter the whole produce of their labor, less the necessary and legitimate expenses of distribution. It stands for economic cooperation between domestic and foreign capital for the purpose of developing Rumania's tremendous natural resources. While the Liberal Party wants foreign capital only as a sleeping partner with the management of the enterprises remaining in Rumanian hands—all corporations desiring to exploit the natural resources belonging to the State and most of them having to be Rumanian



HELEN, PRINCESS OF RUMANIA

Wife of Prince Carol and mother of King Mihai. She is a daughter of the late King Constantine of Greece and a niece of ex-Kaiser Wilhelm



QUEEN MARIE OF RUMANIA

Widow of King Ferdinand I, mother of Prince Carol

to the extent of 51 per cent. of the capital—the National Peasant Party is ready to consider concessions on certain conditions.

NATURAL RESOURCES GUARDED

No matter what party comes into power, Rumania will not permit predatory exploitation of its resources. Foreign capitalists who desire normal economic profits will be welcome, but the selling of the natural resources for nothing is out of the question. Rumania has both the necessary human material and the potential riches necessary to evolve a modern economic organization. Unless cooperation with foreign capital aids this development, Rumanians of all classes and parties prefer to develop more slowly on their own lines.

Another important point of difference between the two parties relates to the tariff. The Liberal Party adopted a high tariff policy to help industries that have no natural basis for development, with the result that Rumania is now following the Rus-

sian example of the latter part of the last century in creating artificial industries behind a strong tariff wall. This creates a rich class of parasites connected with the Liberal Party and accumulating riches at the expense of the community and especially the agriculturists. The National Peasant Party on the other hand favors the development of all industries for which there is a natural basis of development. The National Peasant Party also rejects the crude free trade principle, for it recognizes clearly that industries have been deliberately fostered in the West, while in Central Europe the acceptance of this idea would merely mean the encouragement of the old economic relationships which were based on the deliberate policy of subjugating the whole of Central and Eastern Europe to Budapest and Vienna. Consequently Rumania stands aloof from the idea of a Central European economic federation till she is able to evolve an economic technique equal to that of her neighbors. It is only then that the free trade principle would have some meaning. To invite the new States, as is suggested in America and England, to form a Central European federation would again lead to the tutelage of the old economic centers developed by political considerations.

Politically the Liberal Party clings to the authoritarian principles and centralization, the National Peasant Party to libertarian principles and decentralization. Their point of agreement is that both build on private property, the Liberal Party representing "the large capitalism," the Peasant Party "the small capitalism," greatly attenuated by the reformist tendencies of the age.

These are not at all academic questions to the Rumanian peasant. He knows that when he sold a measure of wheat before the war he used to get so much yarn for it. He now gets infinitely less for it because the export tax depresses the price of his wheat, while the tariff increases the price of his yarn to a larger extent than before the war. He pays both taxes, neither of which he can evade, while the richer income tax payers have been able to shift or evade it and, instead of trying to stop fiscal evasion whenever more money is

needed, secure the imposition of new taxes which are paid by the poorer classes and mostly by the peasants. Nor does the peasant want to be treated any longer like a brute as he is treated by the gendarmerie. The peasant "won the war" and now has much more self respect. He feels the vote

makes the people, not the official the master, and by common consent the gendarme is a real brute. The peasant wants some sort of self-government in the village by which the gendarme will feel some responsibility towards the public and cease to be a despot and a tyrant, for a gendarme makes a very poor despot and tyrant because he usually has little brains and little imagination.

THE KING'S PREROGATIVES

In theory Rumania is a constitutional monarchy, but in practice it has really been absolute. The King, through his prerogatives of nominating his Ministers and entrusting with the power whomever he chooses, can impose on the country any Government he likes, since the new Government so selected can easily manipulate the elections through the administrative machinery. So far the monarch has approved of, not to say connived at, the practice. As the result of the late King's predilection for conservative Governments and especially for Jonel Bratianu, he entrusted with the power either the Liberal Party or Bratianu's nominees. The Regency, nominated by the Liberal Party and the late King, has inherited the present situation with the Liberal Party in power, and it is naturally very cautious in its movements. But conditions are such that the Regency must dissociate itself from the Liberal Party and employ the royal prerogatives in accordance with public opinion, which is overwhelmingly in favor of the National Peasant Party.

The first step towards normal life in Rumania requires that political power be harmonized with the change in the economic structure of the country and with the increasing power of the peasant class. The bitter relations between the two parties has rendered progress much slower by delaying the necessary cooperation between them on fundamental issues. The Liberal Party through the manipulation of elections is responsible for all the delay in the political normalization of Rumania, for it has kept the Government in its own hands continuously from 1919 to the present time. Even during the Averescu régime the Liberals were the actual rulers, since General Averescu could not take any decision of importance without first consulting the late Premier.

Since the late Premier died the Regency has stated that the present Government under his brother, V. Bratianu, is provisional and that new elections will be held.



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PRINCE CAROL OF RUMANIA

Now known as Carol Caraiman. He renounced his right to succeed to the throne in December, 1925

The National Peasant Party contends, and impartial opinion supports the contention, that elections in Rumania have been manipulated in the most unfair manner by the use of the gendarmerie, the army and the administrative organs to such an extent as to create a dictatorship—and all for the purpose of keeping the Government in the hands of the Bratianu family and their clique and at the expense of the real needs of the country. The Regency presumably wishes to delay the elections, which under present conditions would bring the National Peasant Party into office, until the Liberal Party would have time to obtain a foreign loan, stabilize the exchange—their attempts to bring about deflation and raise the value of the leu having during the past five years resulted in the greatest losses and dislocations to trade and industry—and save part of the reputation which they have lost on account of their economic program. If the Liberal Party raises a stabilization loan, that will be proclaimed a great success and the elections will be delayed. Knowing this, the National Peasant Party has withdrawn from Parliament as a protest against the Regency's attempt to keep in power a Government which does not represent public opinion at the present time. In taking this step the party is supported by the great majority of the Rumanian peasantry as well as by the "intelligentsia" of the country, which has never adhered to the Liberal Party either in the past or in the present. The Liberal Party rules through various economic and financial agents who are really accountants of the Bratianu family and of the clique allied to it. Many of these Liberals maintain their position in Rumania through a show of ultra-nationalistic spirit, which is their only capital and which is really their justification for their lack of constructiveness and their parasitic character. As to the army and the police they are faithful public servants of the State, ready to obey the orders of the Government in power.

Being an essentially parliamentary party the Peasant Party has chosen to employ only legal methods. Having withdrawn from Parliament, it holds meetings all over the country in order to make clear to the Regency and to the public opinion of the world the real attitude of the vast majority of the Rumanian population. In organizing

these demonstrations the leaders have had no ulterior purpose; nor have they been inspired by any connection with Prince Carol. Such was the aim of the meeting of March 18, when the 60,000 peasants assembled at Bucharest in a stern and self-imposed discipline, and of the meeting of May 6, when 200,000 peasants assembled at Alba Julia, while at the same time vast meetings took place in the chief towns all over the country.

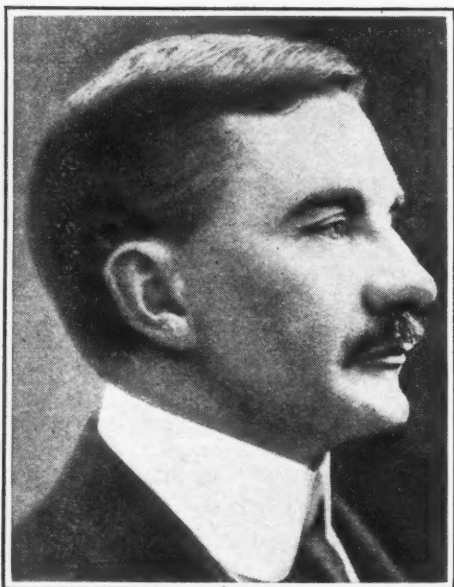
THE ALBA JULIA MEETING

Unfortunately the meeting at Alba Julia was deprived of some of its effect by misunderstandings between the leaders. Mr. Mihalaché, probably the man who has contributed more than anybody else to the creation of the social consciousness of the peasants since the war, insisted upon a



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MME. ZIZI LAMBRINO
Morganatic wife of Prince Carol of Rumania
and her son



Keystone

JULIU MANIU

Leader of the Rumanian National Peasant Party

march to Bucharest so as to bring the reality of the new force to the very doors of the Regency Palace, while a group of laborers from the neighboring mines insisted upon "action." At the same time Prince Carol by his activities in England gave an air of comic opera to the meeting, which certainly had no connection with him. In fact, Mr. Maniu, the leader of the National Peasant Party, immediately after the meeting made a clear and definite statement that the party does not stand for Prince Carol, for, if the interpretation of the prerogatives of the Crown is an issue between the two parties, the actual representative is not. The Peasant Party is not interested in who is King. The Crown is in fact playing a less and less important part in Rumanian politics, for personal factors have been superseded by social forces finding their expression in political parties. The question of political discrimination, so important in a country with numerous parties, calls for personal decisions in which the King or the President plays a comparatively important part. This was true of Rumania before the war and immediately after until the return to the two-

party system became so evident, but it is meaningless now in view of the development of a clear and decided public opinion.

The question of Prince Carol, so much talked of abroad, is not a burning question in Rumania and has now been definitely eliminated. If some of the minor members of the Peasant Party ever thought of him his chances have now been completely shattered. Not that anybody would have thought of bringing him back to the throne, though there would have been a possibility of making him a member of the Regency. However, there is now no possibility of altering the existing arrangement as to the Crown except by a revolution, and that is not worth the trouble. In view of Prince Carol's ridiculous movements lately, his making Rumania appear like a comic opera State, he has lost all his chances and the support of every Rumanian who has any regard for good form or who resents being ridiculed. Prince Carol has a good mind, but unfortunately he has no self-restraint and no discrimination as far as friends are concerned. His associate who staged the ridiculous attempt at a plot for him and brought about his expulsion from England is a case in point. Rumanians of all parties have resented Prince Carol's latest doings just as they have never pardoned his gay parties at Bucharest and his camarilla of small-minded officers.

Why is it that the Liberal Party, to which quite frankly the members of the Regency belong, do not want the National Peasant Party to come into power? The reasons are these: First, Rumania, being a highly centralized State and the State being the owner of so much of the national wealth, the Liberal Party fears that by developing

**CAROL AND THE RUMANIAN PEASANT PARTY**

Fortune Teller: "You have a fine set of cards, but beware of the women."

—*De Groene Amsterdammer, Amsterdam*

the cooperatives the National Peasant Party will weaken the power of the classes which represent the party. Secondly, the Liberals fear that by creating a favorable régime for the importation of foreign capital the local Liberal banks will meet with serious competition, and by giving credits irrespective of political affiliation, the banks will create economic centres independent of the central control of the Liberal Party. So far most of the credit given through the National Bank, a notorious Liberal institution, has been given only to those in the same political camp. Thirdly, the power of the local political agents of the Liberal Party will be weakened, since they all live by various advantages given to them by the central authority. All these people have no occupation and actually live at the expense of the State in one way or another. The National Peasant Party aims at abolishing all these parasitic opportunities. Fourthly, the Liberals fear that the Peasant Party will ruin the hopes of the scions of the old families of getting rich at the expense of the State, for they have no chances of a career except through their association with the oligarchy. Fifthly, the Liberals fear that the Peasant Party will succeed and explode the legend which the Liberals have created that the members of the National Peasant Party are an incompetent "rabble," although by common consent outside the Liberal circles there is more native and trained intellect in the Peasant Party than in the Liberal Party, which, except in the case of a few cynical lawyers, consists of notorious mediocrities.

FRENCH CONSERVATIVES' MISTAKE

France is really the only country that supports the Liberal Party in Rumania. This became clear recently when a loan was sponsored by the Banque de France. France is supporting the Liberals through fear lest the other parties may play with Italy as General Averescu did. The French conservatives responsible for this are committing a great mistake, because they are thus alienating the peasants' sympathies for France. The Peasant Party is a progressive party, which maintains a strict neutrality regarding Italo-European conflicts in general, and really has no admiration for Fascism as such. Nevertheless, the Liberal Party has used the fact that Mr. Maniu knows no French as a sign of anti-French

feeling in the National Peasant Party, and has thus created suspicion against him at the Quay d'Orsay!

One cannot predict the outcome of the present situation or the new tactics of the National Peasant Party. It may take recourse to silent sabotage of the Administration or it may start using illegal means. Mr. Mihalaché, who is the most able and representative post-war peasant figure in Rumania, in fact declared at the recent meeting at Alba Iulia: "We have finished with legal means; we shall now use the means that the Government of the oligarchy imposes upon us." The opportunity was missed at Alba Julia but recent news shows that preparations are now being made which suggest that the real struggle between the old forces and the new is only beginning. The tactics will have to take into account the fact that the army, the administrative organs and the police are always faithful to the Government in power, whatever that Government may be, and unless the change is initiated by the Regency, the vicious circle cannot be broken except by a revolution which the army can always suppress. The question is really whether the Regency will act as the representative of the oligarchy or of the nation. If it continues to favor the oligarchy it will eventually be treated as such and in losing the confidence of the nation it may be compelled in time to abide by the consequences. But nobody is able to tell how the inevitable change is going to take place, although there is universal recognition of the necessity to relieve the tension, get all the forces to productive work, initiate an epoch of agrarian development and give scope to new ideas in all fields of activity, for Rumania is still ruled by old people brought up before the war in an atmosphere of suspicion and fear. These veterans have brought their mentality into the post-war period when the situation occupied by Rumania in world affairs demands a more generous and more cosmopolitan attitude on the one hand and a deeper and richer realization of native values on the other. The nationalism of the oligarchy is both superficial and narrow and as such thoroughly sterile in its results, both internal and external. If the National Peasant Party does not miss its chance—and it is better to be conservative in our expectations—it may release forces and create a new epoch in Rumanian history.



Egypt's Agitation Against British Domination

By DAVID R. MOORE

PROFESSOR OF HISTORY, OBERLIN COLLEGE

RECENT months have witnessed a renewed outburst of restlessness in the land of the pyramids. Political leaders have protested against the protectorate. Students and mobs have menaced life and property. Were you to talk to a Nationalist in Egypt and ask him, What do you and your people want? he might answer you somewhat as follows:

"We have fourteen millions of people, all but approximately one hundred and fifty thousand native born. We are more numerous and have greater resources than many of the independent nations. We have leaders trained in the universities and capitals of Europe, capable, we believe, of administering our own affairs. No people wants to be ruled interminably by another people alien in race, language, religion, customs and traditions.

"Let it be granted that the British introduced reforms, preserved peace and insured prosperity for Egypt. Have they done it for naught? They administered our finances so as to collect interest and capital on money lent by them and others to our former Khedive. They controlled the Suez Canal to protect their route to the East. Our country furnished raw materials and markets, an outlet for their capital and positions for a considerable number of foreign administrators, engineers and technical experts.

"The British told us that their occupation was to be temporary only. In 1922 there were almost six times as many British officials as in 1895. As the number increased the quality deteriorated. These officials have frequently conducted themselves in a haughty, domineering manner, disdaining to fraternize with our people. Venerable sheikhs and sensitive nobles have been humiliatingly treated by young foreign inspectors.

"Too many institutions have been foreign. The legal code was French in origin. Revision and new regulations were made by young lawyers sent out from London, too often lacking sufficient experience and training. Our people have had but the smallest part in our own Government. Up

to 1922 our representatives had only advisory and consultative powers at best; in many important things they had no power at all. If our people were untrained, why have the British administrators not done more to promote general education and practical political and administrative training?

"When the war broke out in 1914 Turkey joined the Central Powers. Great Britain then cut the tie that bound us to Constantinople, but instead of permitting us to become independent she immediately proclaimed a protectorate without taking the trouble to get our people's consent. During the war our fellaheen [peasants] had to provide grain, fodder, camels and donkeys beyond the amount and numbers that they could well spare. Toward the close of the war our men were practically conscripted to provide labor behind the lines, but in sometimes dangerous places.

"The armistice came. We were told that this was a war to make the world safe for democracy, that there would be self-determination for all peoples, that the rights of small nations should be as sacred and as much respected as those of great ones. In keeping with these avowed principles we Egyptians demanded the annulment of the protectorate and formal recognition of independence.

"After years of protest we were given in February, 1922, the so-called Declaration of Independence. This we have steadfastly refused to accept because its reservations left to Great Britain the Suez Canal and the Sudan and restricted our sovereignty over the rest of Egypt. We can care for the canal. The Sudan we claim by conquest and by moral right. Any foreign nation in control there could divert water for irrigation in the Upper Nile to such an extent as to ruin Lower Egypt. We are quite prepared to protect foreign interests and minorities. We may make some mistakes, but we shall learn to do by doing.

"The deplorable assassination of Sir Lee Stack, Sirdar of the Egyptian Army and Governor General of the Sudan, in November, 1924, gave Great Britain occasion to lay a still heavier hand upon us. She compelled

us to limit free speech and action, demanded a big cash indemnity, drove our armed forces out of the Sudan and assumed the right to extend indefinitely her irrigated area in that territory. Our Parliament was dissolved. A new one, summoned a few months later, was likewise dissolved after a two-day session because, forsooth, the members of that Parliament chose to appoint Zaghlul Pasha to the presidency of the Chamber. No new Parliament was called for over a year, and in the elections for it a scheme to place intolerable restrictions upon the suffrage was frustrated only by the vigilance of the Nationalists and the overpowering opposition of public opinion. We appealed in vain to the League of Nations and to the parliaments of the world.

"Now, at the opening of this present year, Great Britain proffered us a treaty. We have refused to receive it because among its provisions is one that would retain on our soil an army of occupation, and because in general this proposed treaty, voluntarily signed, would fix legally the status prescribed by the Declaration of Independence of February, 1922, a status that we have not hitherto accepted and will not endure.

"That declaration does not in practice permit us to make what laws we would prefer. For example, only last April a note and a dispatch of battleships warned our Prime Minister, Nahas Pasha, that he must withdraw the Public Assemblies bill and prevent its passage into law. Shortly before this, in March, an *aide-mémoire* from Lord Lloyd reminded Nahas Pasha that the British 'cannot permit the discharge of any

of their responsibilities * * * under the declaration of February, 1922—that is, the reservations—to be endangered * * * and they reserve the right to take such steps as in their view the situation may demand.'

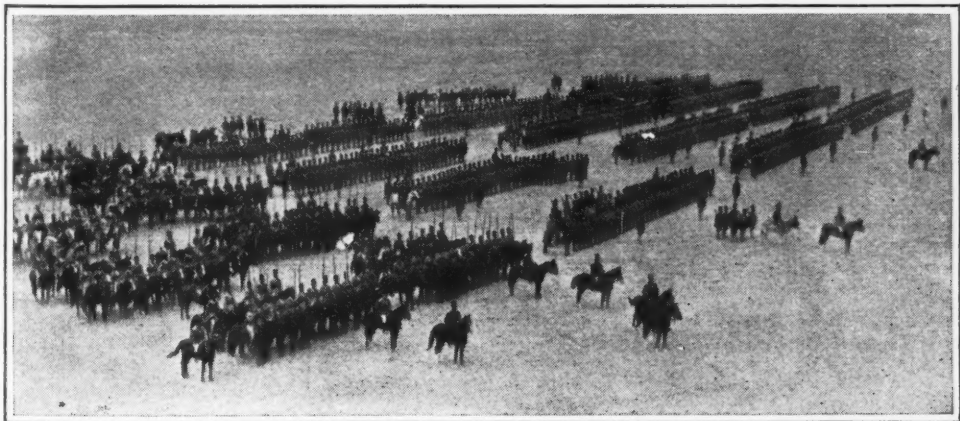
"To this Nahas Pasha replied that the *aide-mémoire* 'constitutes a perpetual interference with the internal conduct of Egyptian affairs, paralyzing the exercise by Parliament of its rights to legislate and control administration, and rendering impossible the existence of a Government worthy of the name. * * * The Egyptian Government cannot admit the principle of an intervention which would be tantamount to its veritable abdication.'

"Nahas Pasha has spoken for all Egyptians. We have hitherto demonstrated ability to manage our own affairs. We demand complete independence."

The Egyptian Nationalist case, so presented, sounds as if it were a strong one. Deferring for a moment consideration of the first point, namely, that they are fit for self-rule, let us take up their other claims and charges.

Lord Cromer in 1882 found the fellaheen in the depths of poverty and despair. His quarter-century of administration brought unprecedented prosperity. Foreigners, the fellaheen and the Coptic minority were protected. There was introduced a new conception of both individual and national rights. The land was redeemed from the blight of lawlessness, misery and hopelessness which had hitherto paralyzed all material, moral and intellectual progress.

Cromer found many foreign institutions and the French code of laws when he went



Units of the Egyptian Army photographed during the annual manoeuvres in the desert near Helouan

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to Egypt. He found Capitulations which more than a dozen nations had obtained, which they would not abandon and which permitted them to hold courts, prevent the levying of direct taxes and do several other things. These hampered the British at every turn and likewise hampered the purely Egyptian courts, police and councils. The British may have been slow in effecting changes. But they acted along the lines of a traditional philosophy; that is, not to interfere except where it seemed quite necessary. The financial chaos, the wretched condition of agriculture, the lack of industry and commerce, the need for peace, law and order, these things demanded immediate and continuous attention. In other things as far as possible the natives were left free to maintain their customs and traditions, their religion and language.

This, too, in part, explains why popular education was not fostered. The Egyptians lacked initiative and the British were too enslaved by the theory that their primary duty was to preserve law and order and promote material prosperity.

From the very beginning, however, there were introduced provincial and central councils and assemblies. The illiteracy, poverty and inexperience of the masses made it advisable that these bodies should be administrative and consultative rather than legislative. They were designed to provide political training. The Constitution drafted since 1922 provides for a constitutional hereditary monarchy; a Ministry responsible to Parliament; this consists of a Senate three-fifths elected, two-fifths nominated, and a House elected entirely by the people under a system based upon universal suffrage. Thus there is now effective home rule.

EGYPTIAN GRIEVANCES

Before the World War anti-British restlessness was confined largely to a small group of professional politicians, to the old aristocracy and to a class of young men with a modern education who felt equipped to govern. During the war events took place to give the masses for the first time some ground for grievance. To cite a case or two: Camels and donkeys were needed by the Allies. Buyers offered a fair price and the fellah gladly sold his surplus stock. Later animals became scarcer. The Allies were in desperate need. Shrewd and probably profiteering agents—natives as well as foreigners—went to the illiterate villagers and practically commandeered so

many animals at a fixed price. The British were ignorant of, or connived at, the methods used. The Fellaheen were taught by pro-Turk, German and other anti-British elements that their British "protectors" were compelling them to sell.

Zaghlul refused to comply with the ultimatum, and resigned as Premier. A new Parliament made him President of their Assembly. The British interpreted this to mean the beginning of an intolerable obstructionist policy, dissolved the legislature, and for over a year ruled without Parliament. In 1927 Sarwat Pasha, by reputation friendly to Great Britain, became Premier. With him Sir Austen Chamberlain arranged a treaty which in February, 1928, served as a signal for a new outburst of Nationalist fury.

By the proposed treaty the British would continue to control foreign affairs, the Suez Canal and the Sudan, and would retain a force to protect foreigners and minorities. But there were concessions to the Wafd. Among these, British influence was to be used to end or modify the Capitulations and to admit Egypt to the League of Nations. After ten years the localities in which British forces were to be stationed would be fixed by mutual agreement or by the Council of the League of Nations.

NAHAS PASHA'S ATTITUDE

Nahas Pasha, successor to Zaghlul and intransigent leader of the Wafd, refused even to discuss the treaty, because it "clearly failed to provide for the complete evacuation * * * by the British Army." Be it noted it was Nahas, the Nationalist leader, not the Prime Minister and his Cabinet, who decided that the treaty was to be rejected.

Meanwhile the Egyptian Parliament was about to approve of a Public Assemblies bill which, in the words of Chamberlain, "would weaken the hands of the administrative authorities responsible for the maintenance of order and for the protection of life and property." The bill among other objectionable features forbade police to interfere with authorized meetings until "grave disorders" had taken place, thus depriving them of preventive intervention. It imposed far heavier penalties upon policemen who infringed its provisions than upon organizers of meetings or processions which resulted in disorder.

When it grew obvious that the treaty would be rejected and that this bill and other dangerous measures would menace



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A detachment of the Egyptian Camel Corps, used in patrolling the desert for the protection of travelers and tourists and also to prevent smuggling into Egypt

public security, Chamberlain authorized the sending, on March 4, of an *aide-mémoire* to Sarwat Pasha reminding him that the British had assumed the responsibility for the preservation of law and order and that they could not permit the Egyptian Parliament to enact legislation that would make it difficult or impossible to maintain peace and security for life and property.

Sarwat resigned. Nahas, who followed, made a formal reply on March 30 asserting that the *aide-mémoire* was a departure from the usages of diplomatic intervention and constituted a "perpetual interference with the internal conduct of Egyptian affairs." The tone and tenor of the message, in Great Britain's view at least, was that Egypt was already independent, entirely independent, and ought to be able to do as she pleased.

Lord Lloyd refused to accept Nahas's exposition of existing relations, explicitly restating that the relations are those "clearly defined in the Declaration of February, 1922," except as modified by notes exchanged after the MacDonald-Zaghlul negotiations broke down. The reserved points remained reserved and the British would not admit the special relations to be discussed by any other Power. The reserved points were the security of the communications; the defense of Egypt against foreign aggression, direct or indirect; the protection of foreign interests and minorities; and the Sudan. In spite of this clear statement Chamberlain on April 29 found it necessary to send a three-day ultimatum to prevent the Public Assemblies bill from becoming law. Nahas withdrew the bill, saving his face as skillfully as possible.

A similar thing took place in the Labor Corps. No Egyptian was required to serve in the war. But for various forms of work behind the lines Egyptians were offered attractive terms. They volunteered with alacrity. Some accidents and deaths occurred. Then Great Britain's enemies spread false tales of slaughter of the Labor Corps. Aspiring Nationalists saw an opportunity to incite the peasants. Red Cross collections, a press censorship and martial law, however necessary, made relations more unfriendly.

Things went more badly because there was perhaps a real deterioration of the British personnel. Older and experienced men left for the front. Their places were filled by volunteers less well trained. After the Armistice a general world depression set in. Adverse economic conditions added fuel to the political and social unrest. The fellaheen attached themselves to the anti-British. So even did the new "feminists."

Aggressive Nationalism owed its origin in part to the political and social philosophies of Woodrow Wilson. Movements in Ireland, India, the Philippines and elsewhere reacted upon Egypt.

While Egyptian Nationalists were pressing their demands the British Cabinet, nerve wrecked by five years of superhuman endeavor and endurance, burdened by many other perplexing problems, sometimes seemed woefully ignorant of, or indifferent to, the seriousness of the Egyptian situation. They acted with clumsy tactlessness. Zaghlul Pasha, leader of the Wafd, became offended, embittered, enraged. All Egypt was aflame. When Great Britain awoke to the gravity of the case, she did her best

to right wrongs and re-establish peace. But again she had been tardy. Even independence had to be "proclaimed" in February, 1922, because the Wafd prevented the arranging of a treaty.

There were four reservations in the Declaration of Independence. In them there were retained direction of foreign affairs and protection of foreign people and interests; also control over the Suez and the Sudan. Now these reservations, of course, imply incapability for complete self-government. For the Suez Canal, Great Britain's claim is at least as strong as that of the United States to the Panama Canal. From the Sudan the British declare that they cannot withdraw and abandon the foreigners and the Sudanese who do not want to be ruled by Egyptians.

Against these reservations the Wafd tenaciously protested. Two years elapsed. Then Great Britain was under the Labor Government of Ramsay MacDonald. The Nationalists hoped for great concessions. A sad disappointment came. MacDonald yielded nothing. Then, on Nov. 19, 1924, the fury of a fanatic vented itself in the assassination of Sir Lee Stack, the Sirdar. MacDonald's successor, Baldwin, newly installed, immediately sent an ultimatum. Life and property must be safeguarded. The Egyptians must apologize, punish the assassins, pay a heavy indemnity, withdraw their restive troops from the Sudan, and remove restrictions on irrigation there. Great Britain demanded this because in the words of Austen Chamberlain, "the killing of Sir Lee Stack was not one of those isolated efforts of fanaticism which no Government can control. It was the sequel and culminating point of long agitation encouraged and fomented by Zaghlul Pasha

and by those intimately associated with him."

For the moment all is calm. But the Wafd still insists on independence. British administrators are ready to admit that Egyptians in recent years have made some notable gains. For example, the educational system is vastly better and sanitary conditions have shown some improvement. But statistics show that crime is on the increase. Courts have sometimes functioned poorly. Men clearly implicated in the assassination of Sir Lee Stack were acquitted and later assigned to high offices. Ill-advised laws have been enacted. A recent Omdah bill was designed, it is alleged, to replace efficient local administrators, serving under civil service, by party henchmen elected under a discredited spoils system. It is asserted also that experienced and capable foreign experts, engineers and overseers have been dismissed, railroads and irrigation canals have been improperly cared for, work in Government offices has fallen behind, and a general deterioration has set in since 1922. The natives by themselves, it is said, have exhibited little aptitude for handling large businesses, commercial, industrial or financial. A responsibility rests upon some one for the protection of foreigners, foreign investments, the fellaheen, and the million native Christian Copts. Great Britain declares that she has assumed and ought not now to shirk this responsibility. The safety of the British Empire makes it necessary that no unfriendly Power have control here.

Nevertheless, there is a cry for the ousting of the protecting Power, though there are not a few natives as well as foreigners who realize that they still need protection and guidance.



Prohibition and the Constitution

A Debate

An important phase of the prohibition controversy is dealt with in the following articles by two lawyers of distinction, who, after a close study of the United States Constitution, have reached conflicting conclusions as to whether the Eighteenth Amendment is or is not a nullity. The debate arose out of the publication of a book entitled *States' Rights and National Prohibition** by Archibald E. Stevenson, in which he argues that, although forty-six of the forty-eight States have ratified the Eighteenth Amendment, it is nevertheless a nullity in so far as it deprives the States of their reserved powers, or permits the Federal Government to exercise police powers within the States, because the "revolutionary change" effected by it "has not been unanimously agreed to by the people of the several States"; and this, notwithstanding that Article V of the Constitution—known as the amending clause—provides that amendments proposed by two-thirds of both Houses of Congress "shall be valid to all intents and purposes as part of this Constitution when ratified by the Legislatures of three-fourths of the several States." Mr. Stevenson's position is opposed by Ralph R. Lounsbury in the first of the following articles; in the next Mr. Stevenson returns to the attack; and this is followed by a rejoinder by Mr. Lounsbury.

I—The Validity of the Eighteenth Amendment

By RALPH R. LOUNSBURY

LAWYER AND AUTHORITY ON AMERICAN CONSTITUTIONAL HISTORY

THE Civil War," says Mr. Stevenson, "did not destroy the separate identity of the States, nor did it deprive them of their reserved sovereignty. Obviously, the National Government emerged from that conflict with greater prestige and became more vigorous in the exercise of its delegated powers, but the exact relationship between the several States and the central Government was neither fully nor finally determined by that struggle."

Mr. Stevenson's argument is that the Tenth Amendment, providing that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," so modified the amending clause of the original instrument as to operate as a limitation upon the power thereafter to amend it by the prescribed number of three-fourths of the States in any way that would deprive a State of any of its reserved powers, among which was the police power.

"To those who framed and adopted the Tenth Amendment," says Mr. Stevenson, "it meant that the powers then delegated to the United States by the Constitution were the only powers that the sovereign people of the several States intended to grant to it. It meant also that the powers reserved to a State could not be diminished without the consent of its people. On ratification, that amendment of necessity restricted the powers theretofore granted by the amending clause. It was intended to deprive Congress and the Legislatures of three-fourths of the States of the right to adopt amendments enlarging Federal authority at the expense of the States' reserved sovereignty."

One would not be disposed to quarrel with the unsupported *ipse dixit* of Mr. Stevenson contained in the first sentence of the above quotation, as to the meaning of the Tenth Amendment to those who framed and adopted it, if only he had inserted another "then" before the word "intended"—a slight verbal alteration powerfully affecting the whole import of his statement. But the destructive consequences to any constitu-

*Published by Clark Boardman Company, Ltd., New York and Philadelphia.

tional development of the doctrine that the reservation of powers by the Tenth Amendment forever fixed those powers by foreclosing the operation of the amending clause upon them may be appreciated by reflecting that every power which, by the original Constitution, was neither delegated to the National Government nor prohibited to the States was a reserved power in the States or in the people. It could be nothing else. There was no other source of power.

That this very consequence is Mr. Stevenson's contention—the great desideratum in its application to the Eighteenth Amendment—is revealed by his statement that “by affirmative action in respect of the Ninth and Tenth Amendments, Congress and the State Legislatures divested themselves of the right to redistribute the powers of government between the States and the United States. Having parted with this right, they cannot seize it again.” What does this mean but that the same power which adopted those amendments could thereafter adopt no others, and that by their passage, subsequent to the amending clause, the then reserved rights of the States became forever fixed and immutable, leaving no different distribution of power possible between them and the National Government, thus, it would seem, not merely modifying but nullifying the amending clause? What then becomes of the familiar rule of constitutional construction that all provisions of the instrument must be construed together, so that, if possible, all may stand?

THE AMENDING POWER

But the asserted effect of the Tenth Amendment upon the amending power is not a new idea, and Mr. Stevenson cannot be justly charged with the burden of its paternity. The point was presented in the briefs of counsel in the National Prohibition Cases (253 U. S. 350), and was therefore decided adversely by the Supreme Court in 1920, when it upheld the validity of the Eighteenth Amendment *in toto*. In its conclusions the court then held that “the prohibition of the manufacture, sale, transportation, importation and exportation of intoxicating liquors for beverage purposes, as embodied in the Eighteenth Amendment, is within the power to amend reserved by Article V of the Constitution”; and the deliberate use of the words “reserved by Article V” are of great significance, for their clear import is that the power to amend the Constitution by a three-fourths majority of the States is itself one

of the powers reserved by them and hence was confirmed and protected, not modified nor nullified, by the Tenth Amendment.

The Tenth Amendment was, with the others of the so-called Bill of Rights, proposed by Congress within a few months following the inauguration of the new Government in 1789. It was proposed as the fulfillment of an implied understanding with certain States which had hesitated to ratify the Constitution without an explicit reservation of their powers. Those States were unwilling to trust simply to the uncertainties of a rule that the National Government, being one of delegated powers alone, could exercise none not expressly granted or necessarily implied. The amendment was adopted in 1791 and clearly to allay the fear that, merely by construction of the original instrument, or by usurpation, the National Government might invade the field of State power. It made plain that the States, in their organized capacity, or the people, *then* retained all the powers not *then* delegated to the United States or prohibited to the States. It was, therefore, a limitation upon construction, not upon amendment. It supplied precisely that for which the hesitant States had contended. To all intents and purposes it was part of the original Constitution and has always been so considered. There seems no warrant, therefore, for concluding that it forever fixed the distribution of powers as they then existed and ever afterward prevented any new delegation of power to the National Government or prohibition upon the States.

Had the provisions of this amendment been in the original Constitution, as the States in question desired, would Mr. Stevenson then say that it affected the amending power? If not, how did its adoption three years later, pursuant to the previous understanding, have that result? It was clearly not intended to have any different meaning then than it would have had in the original instrument; and had it been in the original instrument, and if it means what Mr. Stevenson claims, the amending clause would certainly have been differently worded to avoid conflict.

The truth is that Mr. Stevenson constantly confuses the early purpose to guard against usurpation of power, either by deliberate act of the National Government or misconstruction of the Constitution, with the alteration of that instrument from time to time through the orderly process of amendment by three-fourths of the States,



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as provided in the instrument itself. Yet, with an almost naïve inconsistency, he says that the intention of the framers of those early amendments may be gathered from the preamble of the resolution of Congress transmitting them to the Legislatures of the several States, in which preamble it was recited that in a large number of the conventions ratifying the original instrument there had been expressed a desire "that declaratory and restrictive clauses should be added to the Constitution *in order to prevent misconstruction or abuse of its powers.*" (Italics mine.) Surely, if the English language is capable of clarity, this preamble expressed the purpose to include those clauses not for the purpose of limiting the power of future amendment but to prevent possible misconstruction of and usurpation of power under the original instrument.

It is not without its element of humor that Mr. Stevenson's own State of Connecticut, which he is now urging to test the effect of these early amendments upon the amending clause, as the only State of the Union which has neither ratified the Eighteenth Amendment nor precluded itself by joining in litigation attacking it, did not itself ratify the first ten amendments, so

far as the journals of Congress disclose. Apparently, that State was neither greatly worried as to the correct interpretation of the original Constitution nor particularly eager to limit the power of its future amendment.

What the people could have originally delegated to the Federal Government or prohibited to the States, it would seem, could be later brought about through the process of amendment which they themselves provided in the instrument. The only exception to this that is now operative is the limitation which they placed upon Congress and the States in the amending clause itself—"that no State, without its consent, shall be deprived of its equal suffrage in the Senate"—and it is significant that the very day this exception was adopted by the Constitutional Convention, Roger Sherman of Connecticut, having expressed the fear that "three-fourths of the States might be brought to do things fatal to particular States, as abolishing them altogether or depriving them of their equality in the Senate," and having made two unsuccessful attempts to secure a provision that no amendment should be valid without the consent of all the States, sought to include another exception, "that no State shall, without its consent, be affected in its internal police." But the proposition was defeated.

Under the original Constitution, except as to prohibiting the foreign slave trade before the year 1808, Congress was given complete power to regulate interstate commerce. The power to regulate matters of internal police remained in the States, being neither one of the powers delegated to the United States nor prohibited to the States. Obviously, the Tenth Amendment did not change the situation, except to express this rule of construction in concrete form. The Eighteenth Amendment deprived the States, as it did Congress, of any option in the matter of permitting the manufacture, sale or transportation of intoxicating liquors for beverage purposes. To this extent it was a limitation both upon the police powers of the States and the interstate commerce powers of Congress; for formerly the States could permit the traffic within their borders, and Congress could permit it across State lines. If these limitations could have been made originally, it is only sophistry to declare that they could not be later made by the amending power.

If this be denied because originally acquiescence of the people of all the States would

have been necessary, while the amending clause requires acquiescence of the legislatures of only three-fourths of the States, thus, in its possible operation, binding the remainder without their consent, it would seem a conclusive answer that the authority to bind the whole by the legislatures of a part was given by the people of the then whole in the original instrument, and that new States come into the Union upon the same terms and with the same obligations as the old.

That in so far as ever giving any further power to the National Government or prohibiting its exercise by the States, the Constitution became fixed and irrevocable for all time by the passage of the Tenth Amendment is a doctrine so much more dangerous than the amending power itself as to excite wonder whether its advocates would be really willing to accept its consequences. That it would have prevented the adoption of the Thirteenth, Fourteenth, Fifteenth, Sixteenth and Nineteenth Amendments at least, to say nothing of the Eighteenth, seems clear. That it would equally prevent clothing the National Government from time to time with power commensurate with conditions of national development now unforeseen and make of the Constitution a legal straight-jacket rather than a vehicle of expanding life is beyond all doubt.

One may hardly be accused of favoring indiscriminate amendment of the Constitution if he be equally opposed to making it only a moribund expression of national stagnation. Nor does there appear to be anything, either in the proceedings of the Constitutional Convention or in the history of the period, to warrant the conclusion that the distribution of power then made was intended to be final. Indeed, the record is quite the opposite; for on June 11, 1787, when the question of providing for a method of future amendment came before the convention and several members saw no necessity for it, George Mason of Virginia urged it by saying that the plan to be formed would certainly be defective, as the Articles of Confederation had been found on trial to be; that amendments would therefore be necessary and that it would be better to provide for them in an easy, regular and constitutional way than to trust to chance and violence. His arguments were reinforced by Randolph, and the amending clause was subsequently adopted.

None knew better than the members of that great Convention that the future could be only partially foreseen. That they foresaw so much is the marvel of their work.

But because they were not omniscient, they made it possible, by the amending clause, to adapt the great document they were framing to the advancing experience and wisdom of the future, in order that responsibility and power might ever go hand in hand.

Allusion has been made to inconsistencies in Mr. Stevenson's position. Another illustration will suffice. After asserting the ineffectiveness of the amending clause, since the adoption of the Tenth Amendment, to alter the reserved powers of the States by legislative action of a three-fourths majority thereof, he nevertheless proposes that "if it is the general wish and understanding of the people of the several States that the Tenth Amendment should not modify the amending clause, and that any or all of the reserved powers of the States should be transferable to the National Government by constitutional amendment, let the situation be clarified by the adoption of an amendment reading somewhat as follows: 'The powers not delegated to the United States nor prohibited to the States by the Constitution are reserved to the States respectively or to their people unless such powers or any of them have been or hereafter shall be vested in the United States by constitutional amendment.'" He then goes on to say: "The sole question to be decided would be whether the people of a constitutional majority of the States desire to retain control of their local affairs, or to open the door to progressive centralization in government. The issues would be clear cut. If such an amendment were ratified, it would be the obvious duty of the people of Connecticut to acquiesce in the decision. If, however, Congress should refuse to submit such an amendment to the States or the States refuse to ratify it, we cannot escape the conclusion that the people of Connecticut must then resist to the full the usurpation of their reserved powers by the Federal Government, under color of the Eighteenth Amendment, unless they are willing to surrender their local autonomy without a struggle."

WHAT IS "USURPATION?"

To what dire revolt Mr. Stevenson would lead the people of Connecticut in resisting "to the full" the usurpation of their powers, he fortunately conceals. But obviously an amendment proposed by Congress, duly ratified by a constitutional majority of the States and supported by a judgment of the highest judicial authority in the land—all of which is the case with the Eighteenth

Amendment—is quite a different thing from “usurpation,” as every lawyer knows; and it is as clearly “the duty of the people of Connecticut to acquiesce in the decision” on that amendment as Mr. Stevenson concedes it would be to acquiesce in a decision on such an amendment as he suggests.

But how would his proposed amendment clarify the situation? Were it adopted by three-fourths of the States, but by less than all, on the basis of his own reasoning the same question would still remain as to any non-ratifying State, namely, whether, since the passage of the Tenth Amendment, the amending clause can be utilized to alter the reserved powers of any State, as those powers then existed, without that State’s consent. If it were not adopted, what of the effect upon amendments already made a part of the Constitution?

This leads to the observation that Mr. Stevenson is discreetly silent about the Nineteenth Amendment. Although the Thirteenth, Fourteenth and Fifteenth clearly diminished the previously reserved powers of the States, and although several States refused to ratify them, he is forced to escape the dilemma into which his argument leads by saying: “These States were prevented from asserting their sovereign rights under the Tenth Amendment because to have done so would have brought down upon them immediately the military forces of the Federal Government. Their citizens, therefore, by a long period of silence have acquiesced in the adoption of these amendments. Their validity can no longer be questioned.”

But the Nineteenth Amendment deprived the States of their previously reserved power over the suffrage by forbidding the denial or abridgment of the right of citizens of the United States to vote on account of sex. It, therefore, invaded their reserved powers just as clearly as did the Eighteenth. More States rejected it than have rejected the Eighteenth, and no military domination has prevented them from “asserting their sovereign rights.” But all that is, of course, a different story; and, by ignoring it, Mr. Stevenson, consciously or unconsciously, allies himself with other prejudiced opponents of the Eighteenth Amendment who worry very little about “the reserved rights of the States,” or “centralization of power,” except when that particular portion of the Constitution is the object of attack. To them consistency would seem to be a jewel only when prohibition is not involved in the discussion.

Moreover, when one hears it said that by

its nature the Eighteenth Amendment, which in the quarters just referred to seems to be the principal cause for mourning the departed rights of the States, has no proper place in the Constitution, he is led to ask why, if that instrument was a fit repository for the Thirteenth Amendment, it was not a fit repository for the Eighteenth? Both dealt with what in the course of experience had come to be regarded as a grave social and economic evil. Both evils were so national, either in scope or consequence, that legislation by the States alone was an utterly hopeless cure.

DRINK EVIL NOT FORESEEN

No one familiar with the Convention proceedings of 1787 and with the history of the times can doubt that, if the Constitution could have been adopted with provision for the abolition of slavery, abolition would have had a proper place in the original instrument. If the evils of the liquor traffic had been as widespread and destructive then as they afterward became, few would now be heard to say that its prohibition then would have been out of place in the original instrument. If not then, why now?

Nor is it easy to discover why the Eighteenth Amendment has no place in the Constitution because a departure from its usual provisions. So were the Civil War amendments; so was the women’s suffrage amendment; and if one seeks to justify his opposition to it because the law is not properly enforced by the Federal Government, neither was it by the State Governments.

The problem presented by the liquor traffic was more than local. It was more than sectional. It was national. It cast its blight upon the home, the school, business, government, the social, educational, economic and political life of a whole people, the most fundamental things in national existence. If their protection has no place in our basic law or may be frustrated by some sophistical theory of constitutional immutability, it may be seriously asked, “What, then, is the Constitution for?”

To those who believe it to be a living, sentient organism, the servant, not the master, of the sovereign people who gave it being, capable of responding to their expanding needs and of expressing their advancing thoughts, this sudden revival of interest in States’ rights by those who would turn this problem back to that authority by which it was either ineffectively controlled or neglected for 150 years is neither impressive in its logic nor compelling in its candor.

II—The Eighteenth Amendment a Violation of the Constitution

By ARCHIBALD E. STEVENSON

LAWYER AND AUTHORITY ON CONSTITUTIONAL QUESTIONS

A READING of the preceding article by Mr. Lounsbury might lead one to suppose that the relationship between Federal and State Governments is a subject so involved and technical that only a constitutional lawyer can have any grasp of it. Yet, in a country like ours, questions of such vital importance to every citizen must ultimately be understood and decided by laymen. My object, as I stated it, was "to ascertain, if possible, what sovereignty the States actually possess 'in their own right'; what measures, if any, have been taken to preserve that sovereignty, and to determine what changes have been effected in the reserved powers of the States without the express authority of their citizens."

The method followed in this inquiry is that outlined by Mr. Story, in his well-known *Commentaries*: "In examining the Constitution, the antecedent situation of the country and its institutions, the existence and operations of the State Governments, the powers and operations of the Confederation, in short, all the circumstances which had a tendency to produce, or to obstruct its formation and ratification, deserve a careful attention. Much also may be gathered from contemporary history and contemporary interpretations, to aid us in just conclusions." (*Commentaries on the Constitution of the United States*, 2d edition, 1851, by Joseph Story, Vol. I, page 286.)

In pursuance of this method, certain conclusions were reached, which may be briefly summarized as follows:

Each of the American Colonies decided for itself to declare its independence from Great Britain. The decision of one Colony was not binding upon any of the others. When independence was declared, the people of each Colony, claiming to be sovereign, set up their own republican government. The thirteen Colonies thereupon became thirteen independent republics, whose only bond was the need of mutual assistance in prosecuting the war against England. The Continental Congress was little more than an intercolonial committee of public safety.

This unsatisfactory arrangement led to the adoption in 1781 of Articles of Confed-

eration and Perpetual Union. This created a "League of Friendship," under which the several States retained their sovereign independence. They appointed, however, a Congress authorized to act as their common agent to deal with matters of common interest. This Congress had no coercive authority upon the States or upon their citizens.

The Confederation, though a marked advance toward nationhood, proved thoroughly unsatisfactory, a circumstance which led to a general demand for its amendment. The Constitutional Convention of 1787 was the result. The plan of that convention, embodied in the Constitution, proposed the establishment of a new national sovereignty of limited powers for limited purposes. These powers were to be delegated to it by the people of the several States, acting separately as citizens of their respective commonwealths. The new Government was designed to act equally and directly upon the citizens of the several States and upon the State Governments themselves within the sphere of those delegated powers. It contemplated leaving with the citizens of the several States exclusive control over those powers which they had theretofore possessed, and which they did not delegate to the National Government by the act of ratifying the Constitution.

This plan was prepared by the Convention in secret sessions. The delegates, therefore, could not anticipate how it would be received by the public. It wisely contained an amending clause which permitted the acceptance of the Constitution, subject to such alterations as might be demanded by the States. The instrument was submitted to the Legislatures of the several States, which in turn referred it to conventions of delegates elected by the citizens of the respective States for the purpose of ratifying or rejecting it.

The Constitution was adopted by the people of each State acting separately, and not by the people of the United States as a single nation. Ratification by the people of one State did not bind the people of any other State. The Constitution in its original form was by no means satisfactory to the



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people of the several States. It was nevertheless ratified by eleven States rather than subject the country to the hazards of disunion and anarchy which seemed to threaten, in case the plan was discarded.

CONDITIONS OF RATIFICATION

Such ratification was obtained by the proponents of the Constitution as a result of an express promise on their part to aid in its immediate amendment, to effect the important changes so insistently demanded.

The principal objection to the Constitution was that it failed to provide adequate guarantees to the people of the several States that those powers not delegated to the Federal Government by the act of ratification were retained by them free of external interference from any source whatsoever. The Ninth and Tenth Amendments were supposed to supply the required guarantee. The Ninth Amendment reads: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." This article was intended to guarantee to the citizens those individual rights which

were then considered inalienable and superior to government itself. The Tenth Amendment provides: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

This amendment was both declaratory and restrictive. It declared the intention of the citizens of the several States to establish a system of government in which the boundary between the jurisdictions of National and State Governments should be clearly defined and permanent. It was restrictive because it limited the provisions of Article V, known as the Amending Clause, so as to prohibit Congress and three-fourths of the States from redistributing the powers of government between the States and the United States by constitutional amendment without unanimous consent. In other words, the evident intent was to establish the equivalent of an irrevocable declaration of trust, under which the national sovereignty became the trustee of certain powers, express and implied, delegated to it by the citizens of the several States as founders of the "trust." Such powers were intended to be exercised by the "trustee" for the benefit of the original States and the offspring of the Union, the new States.

The Tenth Amendment stated the fact that those powers which previously belonged to the "beneficiaries" and which were not delegated by them to the "trustee" remained with them still and were not included in the transaction in any manner. Among those powers which were reserved to the States at the time of ratification were the exclusive right to exercise police powers within their respective borders and to employ without interference within a somewhat restricted field the rights of taxation to raise revenue for the support of their own Governments.

Applying these principles to the Eighteenth Amendment, we come to the conclusion that Congress and the legislatures of three-fourths of the States possess unquestioned authority to limit or destroy *foreign* and *inter-State* commerce in intoxicating liquors, because such commerce falls within the sphere of Federal jurisdiction. But the Eighteenth Amendment does not stop there. It purports to transfer police powers from dissenting States to the United States in violation of the expressed guarantee of the Tenth Amendment. It also purports to modify the reserved taxing power of dissenting States by denying to them the right

to determine what is a lawful business within their own territory, thus depriving them of the right to raise revenue for State purposes from an *intra-State* business in intoxicating liquors.

These considerations lead to the conclusion that the Eighteenth Amendment attempts to do more than it properly can accomplish, and hence is void in so far as it prohibits the States from authorizing an *intra-State* business in intoxicating liquors, should they so desire, but that it is valid in effecting a prohibition of foreign and *inter-State* commerce in such beverages.

These conclusions may seem purely academic, because the Supreme Court in the National Prohibition Cases and others has decided the full validity of the Eighteenth Amendment. However, a decision of the Court is *res adjudicata* only in respect of the parties involved in the particular action. It is binding upon no others. The decision of the Court on constitutional questions is not the law. The Constitution itself, whence the court derives its power, is the law. Hence a dissenting State which has not been a party to an action involving the validity of the Eighteenth Amendment may raise the issue anew and compel the court to hear its arguments. Connecticut is such a State.

Mr. Lounsbury in disputing these conclusions accuses the present writer of inconsistency, and selects two examples which, as they go to the root of the argument, deserve thoughtful consideration.

PREVENTING MISCONSTRUCTION

Mr. Lounsbury presents the first of these as follows: "The truth is that Mr. Stevenson constantly confuses the early purpose to guard against usurpation of power, either by deliberate act of the National Government or misconstruction of the Constitution, with the alteration of that instrument from time to time through the orderly process of amendment by three-fourths of the States, as provided in the instrument itself. Yet, with an almost naïve inconsistency, he says that the intention of the framers of those early amendments may be gathered from the preamble of the resolution of Congress transmitting them to the Legislatures of the several States, in which preamble it was recited that in a large number of the conventions ratifying the original instrument there had been expressed a desire 'that declaratory and restrictive clauses should be added to the Constitution *in order to prevent misconstruction or abuse of its powers.*'" (Italics his.)

It cannot be seriously asserted that the Tenth Amendment was added to the Constitution in order to prevent a deliberate usurpation of power by the United States or a deliberate misconstruction of the Constitution. A deliberate usurpation is a seizure of power without color of right. It involves a willful disregard of the provisions of the Constitution itself. The framers of the Tenth Amendment were too sophisticated to believe that more phrases or more words added to the Constitution would prove a safeguard against usurpation. Neither could they have believed that such additions would operate to prevent a deliberate misconstruction of its provisions. A deliberate misconstruction implies a willful disregard of the obvious meaning and intention of the instrument.

What, then, was intended by the framers of the Tenth Amendment? The preamble of the resolution referred to describes it as both declaratory and restrictive. This is manifest by reference to the certificates of ratification themselves.

In New York's ratification we find: "We, the delegates * * * do declare and make known * * * that every power, jurisdiction and right, which is not by the said Constitution clearly delegated to the Congress of the United States or the departments of the Government thereof, remains to the people of the several States or to their respective State Governments to whom they may have granted the same." (*Elliot's Debates*, Vol. I, page 327.)

The South Carolina certificate says: "This convention doth also declare that no section or paragraph of the said Constitution warrants a construction that the States do not retain every power not expressly relinquished by them and vested in the general government of the Union." (*Elliot's Debates*, Vol. I, page 325). It should not be forgotten that South Carolina, when it made this declaration, had before it Article V or the Amending Clause as well as the other provisions of the Constitution.

The certificates of Massachusetts, New Hampshire and Virginia are similar.

These explicit statements express both the intention and the demand of the ratifying conventions which the Tenth Amendment was intended to satisfy.

The Congressional resolution referring the first ten amendments to the States explains that they are to "be added to the Constitution in order to prevent misconstruction or abuse of its powers." The word "its" in this phrase does not refer to the National Government, as one might sup-

pose from a cursory reading of Mr. Lounsbury's article. It refers to the Constitution itself. Clearly the amendments were not intended to prevent usurpation by a deliberate act of the National Government, but were designed as a more emphatic statement of the intention of those who ratified that instrument.

What were the powers of the Constitution as originally drafted? There are many of them. Some were delegated to the National Government. Others remained exclusively in the States. Still others were shared by both the National and State Governments. But in addition to them there was the amending power, which under the Constitution was shared by Congress and a constitutional majority of the States. This, then, was the only power which the Tenth Amendment could restrict, because in the Constitution as originally drawn the powers of the Federal Government could not be enlarged at the expense of the States without usurpation unless use were made of the Amending Clause.

RESERVED POWERS

Mr. Lounsbury calls attention to the conclusions of the Supreme Court in the National Prohibition Cases, which held that the Eighteenth Amendment "is within this power to amend reserved by Article V of the Constitution." He continues: "The deliberate use of the words 'reserved by Article V' are of great significance, for their clear import is that the power to amend the Constitution by a three-fourths majority of the States is itself one of the powers reserved by them and hence was confirmed and protected, not modified nor nullified by the Tenth Amendment."

If Mr. Lounsbury's comment interprets correctly what the Court intended to convey by the finding just quoted, the Court has misunderstood the clearly expressed purpose of the ratifying conventions. The powers reserved by the States were those which they had exercised before the adoption of the Constitution and which they intended to retain. The word "reserved" means to hold back and keep something already in existence, which is not parted with. The power to amend the Constitution was created by the Constitution itself. It was nothing which could have been exercised before there was a Constitution. It was something new which might be *granted*, but not a power in existence which could be *reserved*. These considerations lead to the logical conclusion that the Tenth Amendment was designed to restrict the amending

power so that the States might not be deprived by it of any of their reserved powers without the consent of their people.

The motion of Roger Sherman of Connecticut in the Constitutional Convention to have this intention clearly expressed in the Amending Clause itself was defeated. This was the very reason why the States demanded its inclusion afterward. Its previous rejection, therefore, cannot be used as an argument to prove that the Tenth Amendment was not intended to limit the Amending Clause.

It may be argued that under our system of government the people are the source of all power, and that by adopting the amending clause they chose to give to Congress and the Legislatures of three-fourths of the States power to deprive a State of its reserved powers, without its consent. Many plausible arguments may be advanced to support this contention, but in every instance they must ignore the expressed intention of those who ratified the Constitution. What did the people of the States believe they were doing when they ratified that instrument, and what did they seek to accomplish by adopting the Tenth Amendment? This question can be answered properly only by reference to contemporary discussions of the plan of the Constitutional Convention.

The most vigorous proponent of the Constitution was Alexander Hamilton. He was an advocate of a strong centralized government. Nevertheless, in *Federalist* No. 32, he succinctly states what was intended by the plan of the convention. "An entire consolidation of the States," he said, "into one complete national sovereignty would imply an entire subordination of the parts; and whatever powers might remain in them, would be altogether dependent on the general will. (Italics ours.) But as the plan of the convention aims only at a partial union or consolidation, the State Governments would clearly retain all the rights of sovereignty which they before had and which were not, by that act, *exclusively* delegated to the United States." From which it would appear that Hamilton believed that the powers remaining in the States after ratification were not subject to the *general will* of the people of the United States, but belonged to the people of the separate States as a matter of right. In fact, it was then understood that the several States were absolutely supreme in their own sphere. "The truth is," said Chancellor Livingstone in the New York Ratifying Convention, "the States, and the

United States, have distinct objects. They are both supreme. As to national objects, the latter is supreme; as to internal and domestic objects, the former." (*Elliott's Debates*, Vol. II, page 385.). Supremacy does not imply subordination.

Proponents of the Constitution believed, even prior to the adoption of the Tenth Amendment, that the States retained permanent and exclusive control over their undelegated powers. This view was expressed in the Virginia Convention by George Nicholas. "It is agreed upon by all," he said, "that the people have all power. If they part with any of it, is it necessary to declare that they retain the rest? Liken it to any similar case. If I have one thousand acres of land, and I grant five hundred acres of it, must I declare that I retain the other five hundred? Do I grant the whole thousand acres when I grant five hundred unless I declare that the five hundred I do not give belongs to me still? It is so in this case. After granting some powers, the rest must remain with the people." (*Elliott's Debates*, Vol. III, page 444.). "The people" referred to by Mr. Nicholas were the people of the separate States.

MEANING OF TENTH AMENDMENT

The acceptance of the validity of this argument was the reason why Connecticut did not bother to ratify the Tenth Amendment. Its people thought it unnecessary. The Tenth Amendment, if it means anything, means protection for those powers of sovereignty which the people of the several States exercised prior to the creation of the United States, which they expressly withheld from the United States, and which they sought to guarantee to themselves by the terse and forceful words of that Amendment.

It should be borne in mind that this limitation on the amending power is applicable only to cases where a reserved power of a State is sought to be taken from it without the consent of its people.

The reservation by the States of certain powers was not the result of accident. It was based on the conviction that restraints upon individual conduct should be authorized *only* by the people themselves. In each State the people, acting collectively as a single unit, made and may amend their Constitution, subject only to self-imposed limitations. They may add to or restrict the powers of public officials, enlarge or limit the freedom of the individual. In such matters the will of a majority of a State's citizens was absolutely binding. The ac-

cepted principles of representative government were thus incorporated in the States' political structure.

In the Federal system, however, the people can never act collectively, as a single nation. The majority is powerless to express its will. For example, the Eighteenth Amendment imposes upon Congress a mandatory duty to prohibit the manufacture, sale and transportation of intoxicating liquors for beverage purposes. If, in the course of time, a majority of the people of the United States should become convinced that there is some more practical or effective method than this by which to achieve the reform sought by national prohibition, they could not adopt it if thirteen States wished to prevent it. If, for instance, Arizona, Delaware, Idaho, Montana, Nevada, New Hampshire, New Mexico, Utah, Vermont, Wyoming, North Dakota, South Dakota and Maine should unite to oppose the repeal of that amendment, the remaining States would be helpless. Yet the total combined population of these thirteen States in 1920 was 5,446,419, which was less than the population of the city of New York in that year. Thus, less than five and a half million people are empowered under the Constitution to impose their will upon more than one hundred million. It was to avoid the possibility of just such a situation that the people of the States reserved to themselves exclusively the exercise of police power, so that, within their own boundaries, the will of the majority might control. The Tenth Amendment was designed to establish this democratic principle in perpetuity.

Mr. Lounsbury says: "Allusion has been made to inconsistencies in Mr. Stevenson's position. Another illustration will suffice. After asserting the ineffectiveness of the Amending Clause, since the adoption of the Tenth Amendment, to alter the reserved powers of the States by a legislative action of a three-fourths majority thereof, he nevertheless proposes that 'if it is the general wish and understanding of the people of the several States that the Tenth Amendment should not modify the Amending Clause, and that any or all of the reserved powers of the States should be transferable to the National Government by Constitutional Amendment, let the situation be clarified by the adoption of an amendment reading somewhat as follows: [Then follows a suggested amendment.]' He then goes on to say: 'The sole question to be decided would be whether the people of a constitutional majority of the States desire to retain control of their local affairs

or to open the door to progressive centralization in government. The issues would be clear cut. If such an amendment were ratified, it would be the obvious duty of the people of Connecticut to acquiesce in the decision."

Mr. Lounsbury asks, "How would such an amendment as he proposes clarify the situation?" It is not contended by the author that such an amendment would be binding upon the State of Connecticut. The proposal is made for a very different reason. He is convinced that the States in ratifying the Eighteenth Amendment had their attention fixed upon the purpose of establishing a great social reform, and at the time were not concerned with the possible effect upon the structure of American government of the method they employed.

It is obvious that Connecticut, however firmly convinced that its reserved powers were illegally invaded, could not by force of arms defend itself against such usurpation. It is equally obvious that the people of Connecticut have no intention of attempting to secede from the Union, and would not do so if they could, because they value their place in the American nation. But until they are convinced that a constitutional majority of the States is irrevocably committed to the doctrine that the reserved powers of the States may be exercised by a State only so long as Congress and a constitutional majority of the States permit, they should, as a dissenting State, resist such usurpation with every practical means at their command. On the other hand, should the people of Connecticut become convinced that their construction of the Constitution is rejected by the people of three-fourths of the States, they not only must but should defer to the majority, even if they still believe in the correctness of their stand. They should ratify the proposed amendment and, by making it unanimous, effect a revolutionary change in the structure of the Government.

This suggestion is analagous to what is done every day by parties in litigation. It is common for attorneys to urge the settlement of cases out of court without surrendering their conviction that their contentions are legally sound. When this is done, counsel are not properly subject to the charge of inconsistency.

THE FEDERAL AUTHORITY

Space does not permit comment upon all Mr. Lounsbury's objections. The whole argument stands or falls upon the meaning of the Tenth Amendment. For this reason

so much space has been given to a discussion of it. There are, however, a few other of Mr. Lounsbury's comments which should properly be answered. "For instance," he says, my interpretation of this Amendment "would seem, not merely modifying but nullifying the Amending Clause." Such a conclusion is wholly unjustified. The sphere of powers delegated to the Federal Government is large. The agencies created by the Constitution for the exercise of those powers are numerous and complex. My interpretation of the amending power leaves ample scope for its use in changing the form and character of those agencies and for the redistribution among them of the delegated powers, in order to procure more efficient administration under changing social and economic conditions. The only limitation upon the Amending Clause resulting from my interpretation is a prohibition of the transfer of a reserved power of a State to the United States without the consent of the people of that State.

Mr. Lounsbury says that I cannot be justly charged with the burden of paternity of this doctrine, because "the point was presented in the briefs of counsel in the National Prohibition Cases." Those briefs urged that the Eighteenth Amendment was void *in toto*, which is very different from an argument that it is invalid only in so far as it attempts to regulate *intra*-State commerce.

Another of Mr. Lounsbury's contentions is that "no one familiar with the convention proceedings in 1787 and with the history of the times can doubt that if the Constitution could have been adopted with provisions for the abolition of slavery, abolition would have had a proper place in the original instrument. If the evils of the liquor traffic had been as widespread and destructive then as they afterward became, few would now be heard to say that its prohibition then would have been out of place in the original instrument. If not then, why now?"

The answer is simple. We are inquiring what is the meaning of a written Constitution which was adopted to effect definite purposes by those who drew and ratified it. They were setting up a new Government. They could have done whatever they wished to do, and what they did would certainly have been proper. Had they desired to create a constitutional monarchy, such as that established by the French Constitution of 1791, it would have been proper, if it expressed both their desire and their intention. But our concern is with what actually occurred, not with what might have oc-

curred. As for the question of intemperance, a study of contemporary literature would show that the evils of the liquor traffic were infinitely worse at the time of the adoption of the Federal Constitution than they have been at any time since, and affected the people in all parts of the Union. For instance, Boston, with less than 20,000 people, boasted of thirty distilleries. And west of the mountains, whiskey constituted a medium of exchange in place of money. The tap-room of the tavern was the scene of brawls and debauchery in every way comparable to the modern saloon. Nevertheless, the control of the liquor traffic was left with the States, and not given to the United States by the Federal Constitution.

Mr. Lounsbury takes me to task for not attacking the Nineteenth Amendment upon the same grounds as the Eighteenth. By inference he suggests that I thereby align myself with those whose sole interest

is to restore the liquor traffic in the United States. The legal argument I have presented is itself an answer to this implication. It may very well be that the Nineteenth Amendment is subject to the same criticism as the Eighteenth for invading the reserved powers of the States. It, nevertheless, has not attracted the same attention for the reason that its sole effect is to enlarge the freedom of the citizens of the separate States, and hence is consonant with democratic principles. The Eighteenth Amendment, on the other hand, by granting police powers to the United States, make it possible to enact restrictive measures by Federal legislation, supported only by a minority of the whole people.

It is to maintain this unique balance of power between the National Government and the State Governments that I urge the necessity of a reinterpretation of the Eighteenth Amendment.

III—Mr. Lounsbury's Rejoinder

TO clarify this discussion it may be said that, as between the States and the United States, the powers of government dealt with in the Constitution and relevant here are of three classes: (1) Powers delegated to the United States; (2) powers prohibited to the States; (3) powers neither delegated to the United States nor prohibited to the States, but reserved to the States or to the people.

It was the third class of powers which the Tenth Amendment was designed to protect. In considering the effect of that amendment upon the amending clause, it must be ever borne in mind that, under our system, the people, as sovereign, are the source of all power, whether of the United States or of the State Governments.

The substantial question at issue between Mr. Stevenson and myself appears to be simply this: Did the Tenth Amendment merely purport to declare, as a rule of construction, that all those powers which at the time of the adoption of that amendment had neither been delegated to the United States by the original Constitution, nor prohibited by it to the States were *then* reserved to the States or to the people, leaving it still possible, through the amending clause, by a majority of three-fourths of the States, as therein expressed, to make from time to time some new or different distribution of the powers of government;

or did it purport to fix for all time the reserved powers as they then existed, so that no new or different distribution could ever be constitutionally accomplished by amending the original instrument otherwise than by the affirmative action of all the States? I contend for the former of these two propositions, Mr. Stevenson for the latter.

Many reasons, legal and historical, refute Mr. Stevenson's position. Space forbids mentioning but a few.

1. In no case does the Constitution in terms necessitate the affirmative action of *all* the States to make an amendment binding upon all, whether adopted by the State Legislatures or by the alternative method provided of conventions in each State.

2. The Articles of Confederation, which preceded the Constitution, did expressly require the assent of all the States to amend them. It was this crippling provision which, more than anything else perhaps, brought about the Constitutional Convention.

3. The fact that Roger Sherman of Connecticut made two attempts in the Constitutional Convention to secure a provision in the new Constitution that no amendment should be valid without the consent of all the States and that both attempts were futile clearly evidences that the Convention was set against it.

Mr. Stevenson says, "the Constitution

was adopted by the people of each State, acting separately, and not by the people of the United States." He seems to intend the inference that this has some bearing upon the issue. He might as seriously contend that, because we vote for the President by States, his election is not the act of the people of the United States. It is true that the several ratifying conventions were chosen by the people of and met and voted in the States separately. But the effect of the separate ratifications must be judged as of the time the Constitution was adopted through the act of all, not as of the time it was ratified by each; and immediately, upon its adoption through ratifications by the required nine States, the Constitution became the act of the people of the then United States. This is one of the very reasons why no State may lawfully secede.

Mr. Stevenson also says that "ratification by the people of one State did not bind the people of any other State." That is true, but what does it prove? It did not even bind its own people until the nine had ratified. On ratification by the nine, however, each became bound, not by virtue of its own ratification alone, *but because all had ratified*; and immediately, each thereby became bound to submit to future amendments when ratified by three-fourths of all, as the instrument they had ratified provided. Because a State could not be bound by the original Constitution if it did not ratify it, does not argue that, having ratified, it is not bound by an amendment adopted in the way that Constitution provides unless it ratifies the amendment. Original ratification and the amending process are governed by quite different principles. Arguments that apply to one are not controlling of the other.

Mr. Stevenson further says the Tenth Amendment was both declaratory and restrictive—declaratory because it evidenced an intention to establish a governmental system in which the boundary between national and State jurisdictions should be clearly defined "and permanent"; restrictive because it limited the amending clause so as to prohibit Congress and three-fourths of the States from redistributing the powers of government by amendment "without unanimous consent."

I agree that the Tenth Amendment was both declaratory and restrictive, but dispute the conclusions drawn. What the amendment *declared* was the rule of construction embodied in its precise terms. What it *restricted* was the violation of that declared rule by altering the *status quo* in

any way but by future amendment. Mr. Stevenson's argument is untenable without again reading his own language into the Constitution—"permanent" in the one case, "without unanimous consent" in the other.

But so vital is this word "permanent" to Mr. Stevenson's argument that it is to be feared it colors his every interpretation. There is and can be no dispute between us that, by the Tenth Amendment, the powers not delegated to the United States, nor prohibited to the States, were reserved to the States or to the people. The essential question is: Was this reservation intended to be "permanent"? I am unable to find a syllable in either his quotation from Hamilton's *Federalist* Paper No. 32, or in that from the remarks of George Nicholas in the Virginia ratifying convention to indicate the belief of either in the finality of the distribution of powers between the States and the United States.

Nothing can be clearer than that Nicholas saw no reason to deplore the absence from the original Constitution of the express reservation of State power which was demanded by its opponents and which the Tenth Amendment afterward supplied. Why express what is of necessary implication, said he, in effect—a principle so obvious that Mr. Stevenson himself assigns it as the very reason why Connecticut did not even take the trouble to ratify the Tenth Amendment. But how does it afford an argument for the permanency of the reservation? Does it not rather evidence exactly what is here asserted that that amendment was intended to be nothing more than the rule of constitutional construction put in concrete form in order to be made so plain that he who runs may read?

Again, he opposes a construction of the amending clause which permits three-fourths of the States to deprive the others of their reserved powers by saying that "if, in the course of time, a majority of the people of the United States should become convinced that there is some more practical or effective method than this [the Eighteenth Amendment] by which to achieve the reform sought by national prohibition, they could not adopt it if thirteen States wish to prevent it." But under his theory, if every individual in the United States save a mere majority of the members of the Connecticut Legislature had wished for national prohibition they could not have had it in face of the opposition of that small number.

Again, Mr. Stevenson likens the "evident

intent" as equivalent to the establishment of an "irrevocable declaration of trust," with the United States as "trustee" and the States as "beneficiaries." For legal reasons, too technical for discussion here, the analogy with a "trust" is denied. But even were the relationship a "trust," there is nothing to indicate an "irrevocable" trust. It was rather a trust over which the people retained control through the process of amendment, exerciseable by three-fourths of the States to bind the whole. Both the States and the United States in their organized capacities derive their powers from the people and exercise them for the people; but they also hold them subject to the people. Were it an "irrevocable" trust, as Mr. Stevenson asserts, it could not be altered by the beneficiaries for *any* purpose, thus, as has been said, nullifying the amending clause. Moreover, it would be unalterable even by act of *all* the States.

Mr. Stevenson seems again entirely inconsistent in admitting the Eighteenth Amendment to be good in so far as it effects a prohibition of interstate and foreign commerce in intoxicating beverages, although bad in prohibiting the business within the States. It is impossible to see how it can be other than wholly bad if his theories be correct. Under its original interstate and foreign commerce powers, Congress might or might not, at its option, permit the traffic between the States and with foreign nations. The Eighteenth Amendment deprived it of this option. That of itself was a redistribution of power, because a withdrawal of one previously delegated. Yet Mr. Stevenson elsewhere says that by the "Ninth and Tenth Amendments Congress and the State Legislatures divested themselves of the right to redistribute the powers of government," and that, "having parted with this right, they cannot seize it again." They did seize it again, however, if, as Mr. Stevenson admits, the amendment be good as a prohibition on interstate and foreign commerce—Congress by proposing and the States by ratifying an amendment which took away a power formerly possessed by Congress.

That the Supreme Court meant precisely what it said in the National Prohibition Cases, that the prohibition embodied in the Eighteenth Amendment is within the power to amend "reserved by Article V," would

seem too clear for argument; but Mr. Stevenson disputes this because, he says, "the power to amend the Constitution was *created* by the Constitution" (*italics mine*); from which he concludes that it could not have been a reserved power, being "nothing which could have been exercised before there was a Constitution."

But a power may exist before it is exercised. The Constitution "created" no power. The people "created" the Constitution, which merely furnished a new opportunity or method by which to exercise power, to exercise it in certain ways, expressed or implied in the Constitution. The abstract power in the people to have their will accomplished, whether through establishing an original constitution or through an amendment of it, was inherent in them before the instrument existed.

If then we turn again to the previous classification of powers it is seen that the power to amend the Constitution, being neither delegated to the United States (except as to the power in Congress to propose or call a convention to propose amendments) nor being prohibited to the States, must, of necessity, be a reserved power, just as the Supreme Court called it; and the fact that the *method* of its exercise by the Legislatures of three-fourths of the States is set forth in the Constitution does not deprive it of this character. As such a power, "reserved by Article V," it was, as previously stated, confirmed and protected, rather than modified or nullified, by the Tenth Amendment.

Mr. Stevenson's distinction between the Eighteenth and Nineteenth Amendments, in that the latter is more "consonant with democratic principles" because it enlarged the freedom of the citizens of the separate States, while the former restricted them, would be more impressive had he informed us just how it would be more "consonant with democratic principles" if one State could obstruct the will of all the others to amend the Constitution, as would be the consequence of his theory. He wishes "to maintain the democratic character of government and the great principle that the just powers of government are derived from the consent of the governed"; but he hopes to do it upon a plan whereby the *dissent* of one State may outweigh the *consent* of forty-seven. A more pernicious doctrine could hardly be conceived.



Pictures in Rotogramure

AERIAL EXPLORATION OF THE ARCTIC



WILKINS'S AIRPLANE AT SPITSBERGEN

The first photograph taken on its arrival of the machine in which Captain George H. Wilkins and Lieutenant Carl B. Eielson made their flight over Polar seas from Alaska to Spitsbergen.

Associated Press

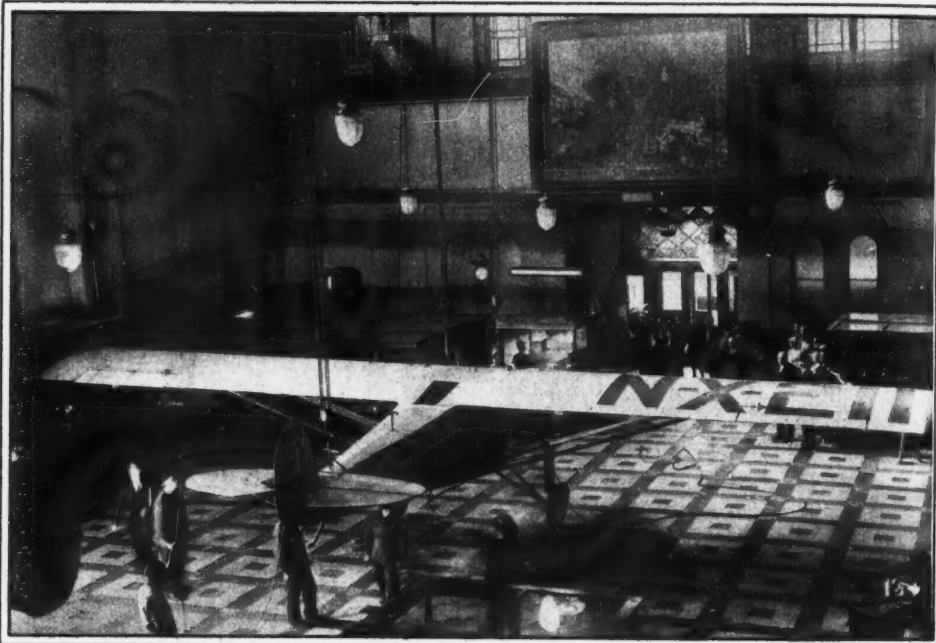
GENERAL UMBERTO NOBILE

Commander of the dirigible Italia, which, after flying to the North Pole, has at this writing not been since heard from

New York Times Studios



MACHINES THAT MAKE AVIATION HISTORY



LINDBERGH'S FAMOUS AIR-PLANE

The Spirit of St. Louis, in which the non-stop flight was made from New York to Paris, being placed in the Smithsonian Institution at Washington, where it has become a permanent exhibit

Times Wide World



NEW BRITISH FIGHTING PLANE

A new machine which is capable of remaining in the air twelve hours at a speed of 150 miles an hour and of discharging a torpedo weighing a ton as well as dropping bombs. It can take off in a run of 50 yards and ascend almost vertically. The photograph shows the airplane releasing a torpedo

Times Wide World

LINKS BETWEEN AMERICA AND EUROPE



HENRY FORD WITH BRITISH STATESMEN

The American captain of industry photographed during a visit to London with Lloyd George (at left), Lord Reading (at right) and Sir John Simon (right of Lord Reading)

Times Wide World

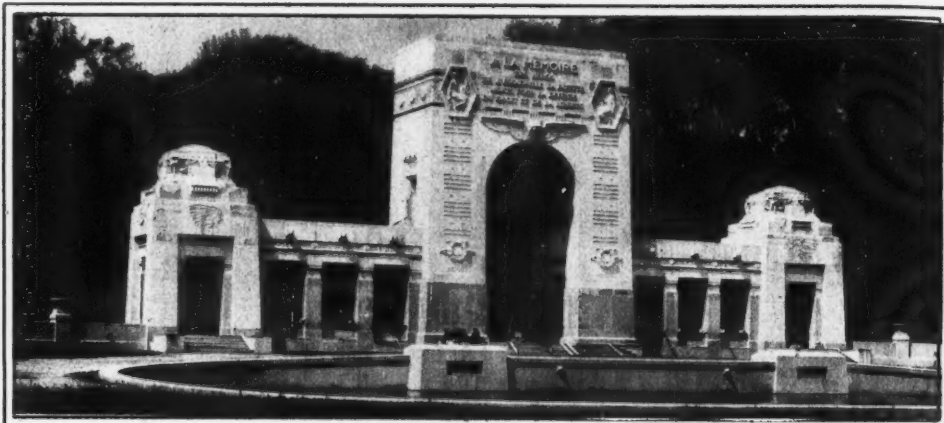


SIGNING THE NEW GERMAN-AMERICAN TREATY

Secretary of State Kellogg and German Ambassador von Prittwitz at the State Department putting their signatures to the arbitration and conciliation agreement which has since been ratified by the United States Senate

Times Wide World

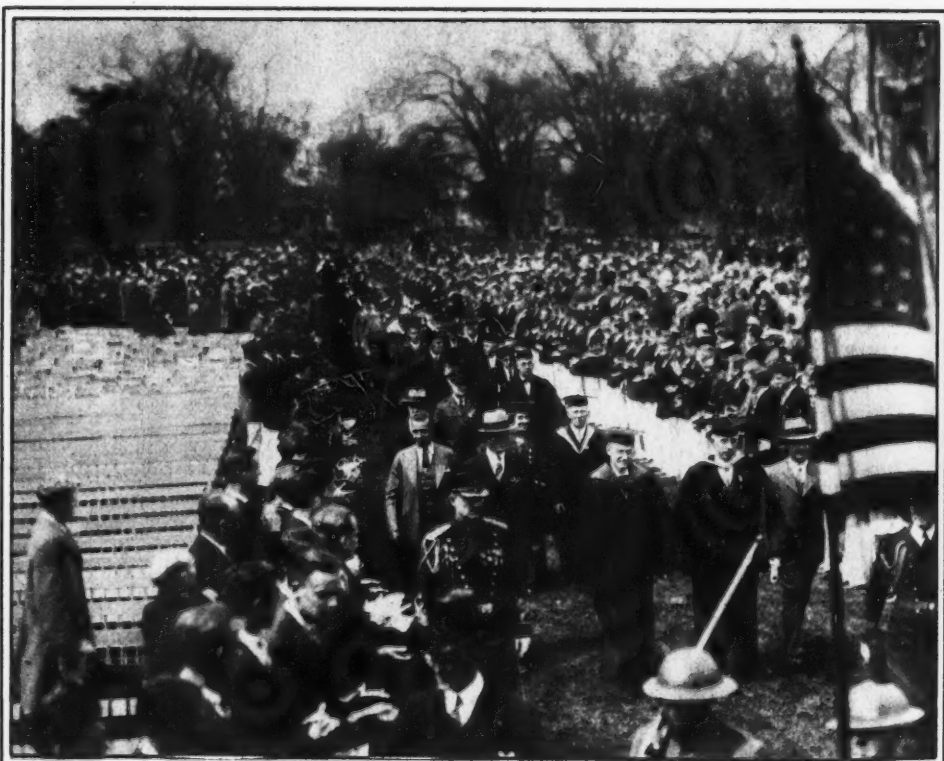
IN. COMMEMORATION OF VALOR AND LEARNING



LAFAYETTE ESCADRILLE MEMORIAL

The monument near St. Cloud, outside Paris, in honor of the earliest American volunteers in the World War. The bodies of sixty-seven members of the unit will be buried in a crypt in the memorial

Times Wide World



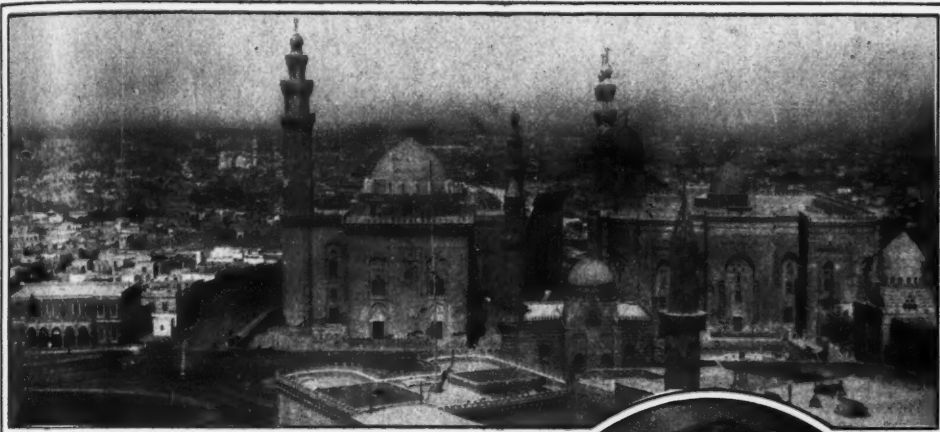
PRESIDENT COOLIDGE AT ANDOVER

The academic procession at the celebration of the 150th anniversary of the Phillips Andover Academy, in which the President took part

Times Wide World

EGYPT'S MOVEMENT FOR FREEDOM FROM BRITISH CONTROL

(Illustrating article elsewhere in this magazine)



THE EGYPTIAN CAPITAL

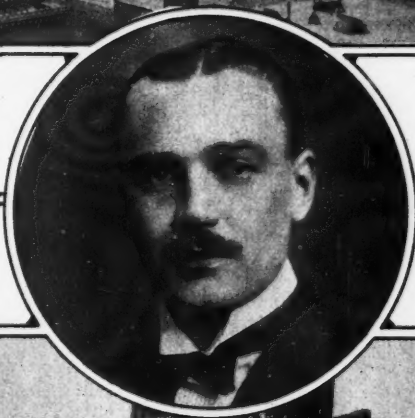
A general view of Cairo, the centre of the agitation against British rule

Times Wide World

LORD LLOYD

The British High Commissioner in Egypt

Times Wide World



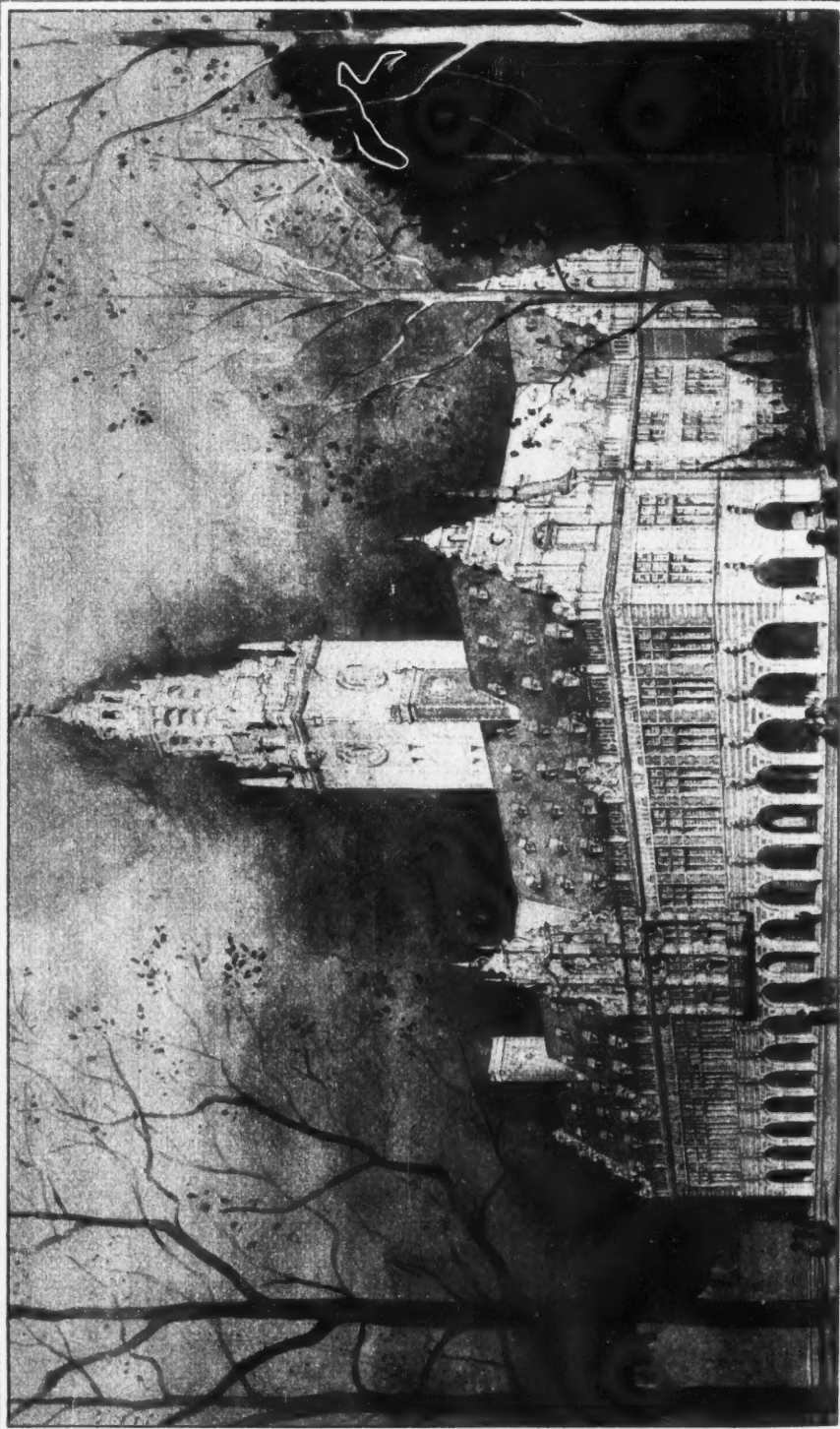
ELECTION TIME IN EGYPT

A candidate for the Legislature addressing a political gathering

Times Wide World

NEW LIBRARY AT LOUVAIN

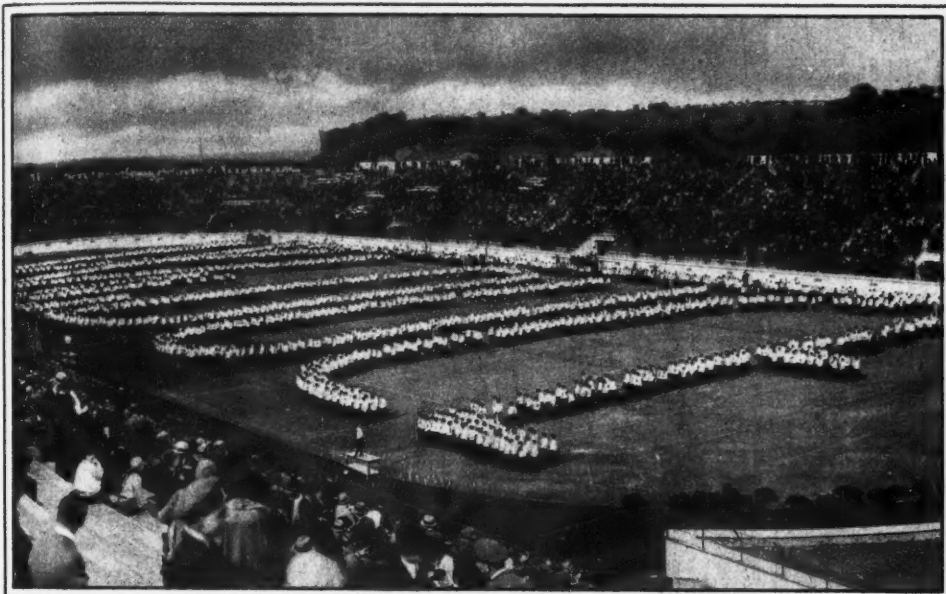
(See article with other illustrations in the magazine)



Design of the architects, Messrs. Warren and Wetmore, for the building which has been restored by Americans to make good the damage done by the Germans in 1914

FASCIST DEMONSTRATIONS IN ROME

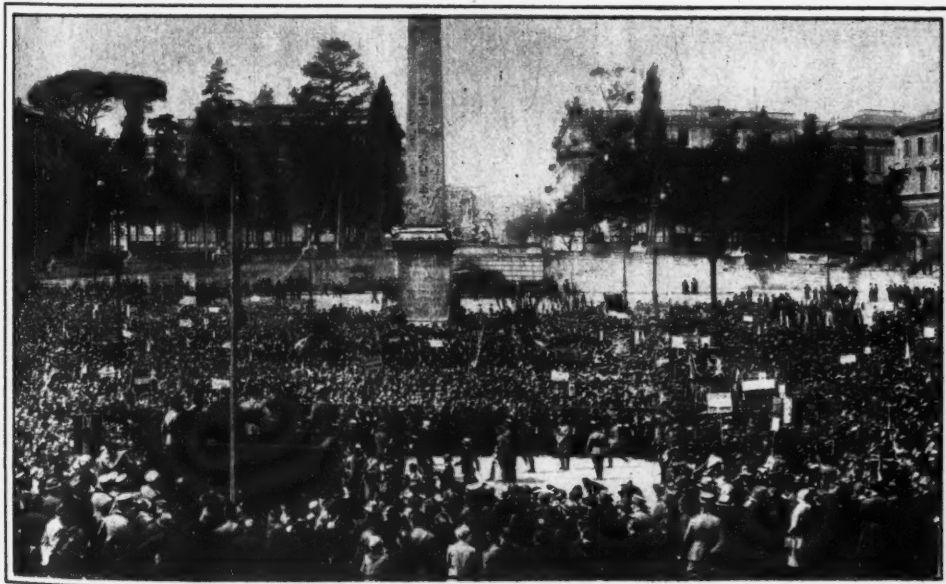
(See article on Mussolini in this magazine)



GIRLS' ATHLETIC MEETING

Though disapproved by the Pope, the Fascisti held a sports gathering of young women, who during the proceedings grouped themselves so as to spell the words "Il Duce," in honor of Mussolini

Times Wide World



FASCIST LABOR UNIONS' GATHERING

The review in the Piazza del Popolo to celebrate the 2,681st anniversary of the City of Rome

Times Wide World

FAMOUS PAINTINGS IN THE MARKET



"THE HARVEST WAGON," BY
GAINSBOROUGH

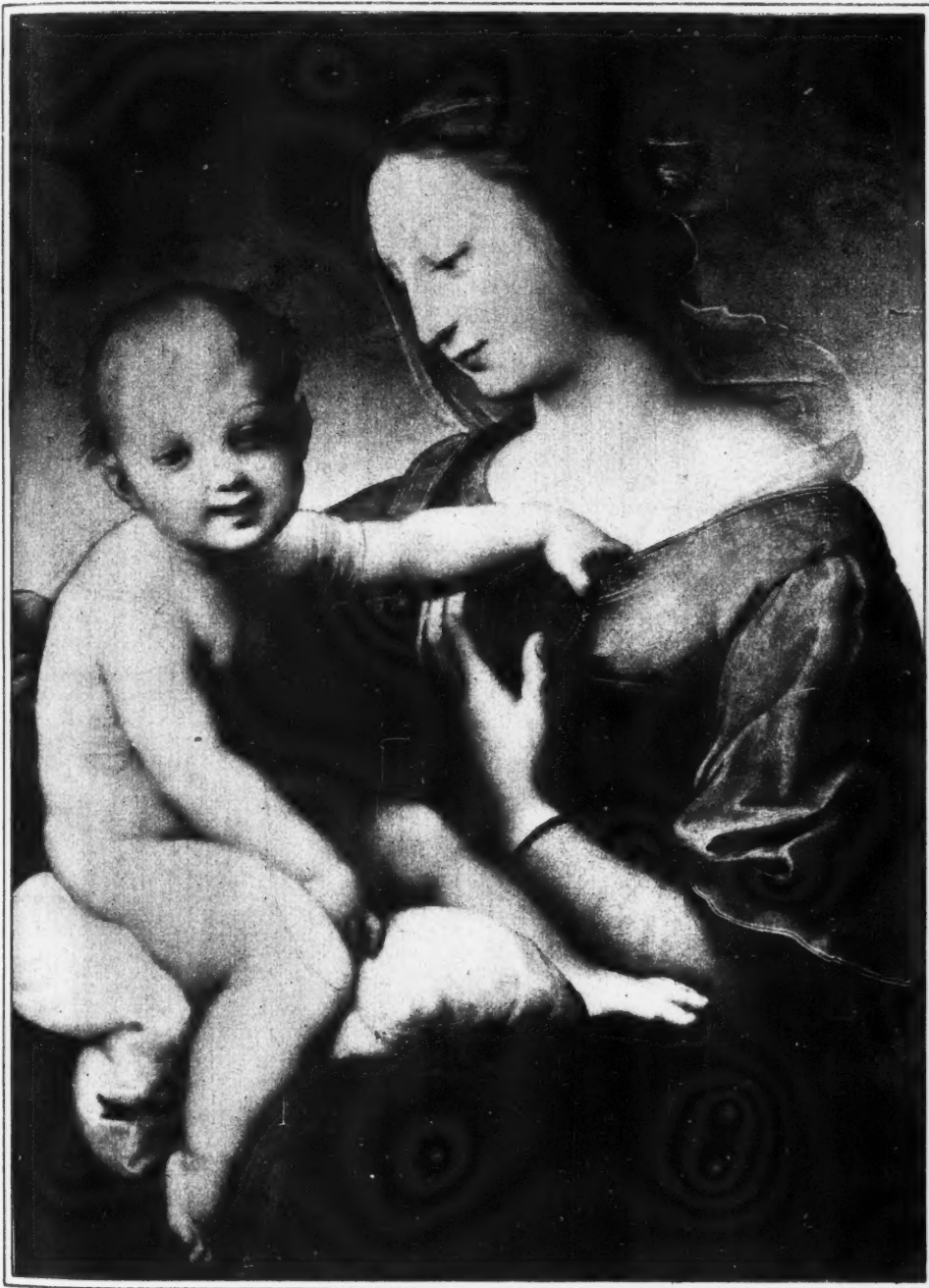
Bought by Sir Joseph Duveen for
\$360,000 when the art collection
of the late Elbert H. Gary was
sold



"PORTRAIT OF A MAN HOLD-
ING A TORAH"

A Rembrandt masterpiece sold in
London for \$245,000

THE WORLD'S HIGHEST PRICED PICTURE

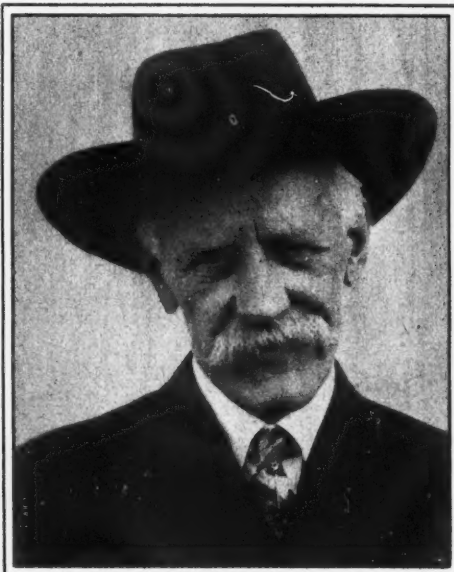


RAPHAEL'S "MADONNA AND CHILD"

Sold by Lady Desborough to Sir Joseph Duveen for a price said to have been \$875,000, the largest amount ever paid for a painting

Times Wide World

PERSONALITIES IN THE NEWS



FRIDTJOF NANSEN

The Norwegian explorer photographed on arriving in America to attend the International Peace Conference at Cleveland, Ohio

Times Wide World



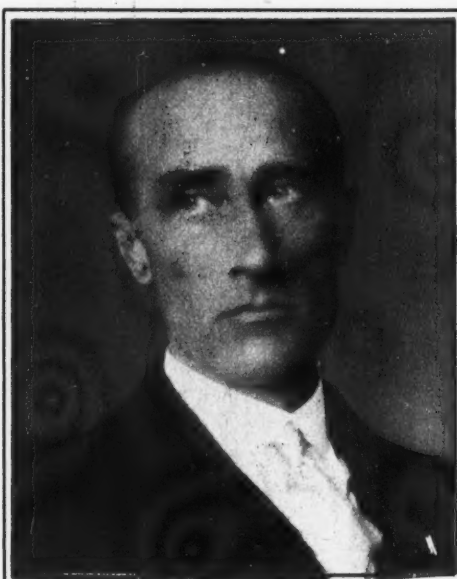
HIDEYO NOGUCHI

The Japanese scientist who died from yellow fever which he contracted while studying the disease. He was born in 1876 and was one of the world's greatest men in medical research



BELA KUN

The Hungarian Communist who was recently arrested in Vienna



PRINCE PONTENZIANI

Governor of Rome, who recently visited America

New York Times Studio

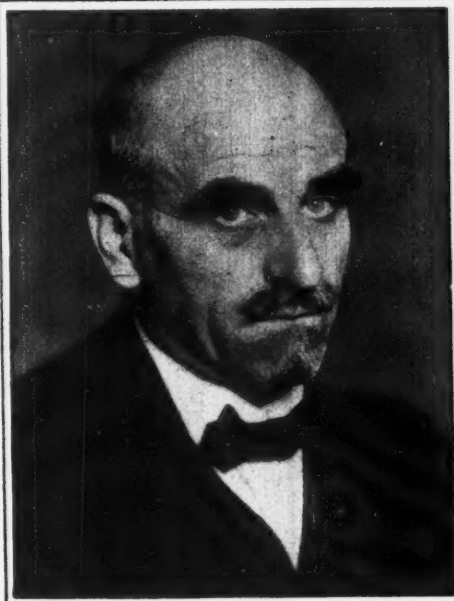
ACTIVE IN POLITICS IN AMERICA AND ABROAD



GUSTAV STRESEMANN

A new portrait of the German Foreign Minister

Associated Press



OTTO BRAUN

Premier of Prussia and leading German Social Democrat

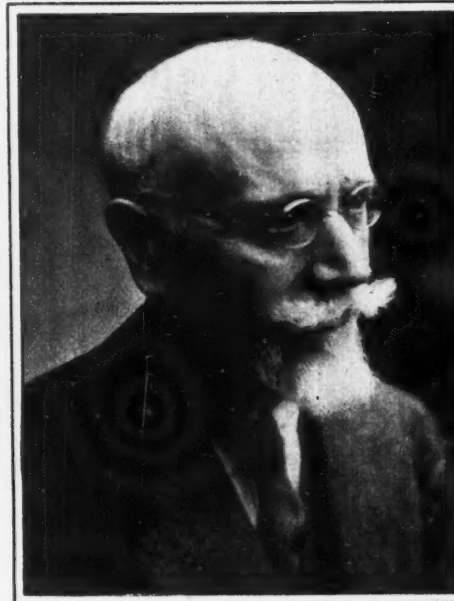
Keystone



NORMAN THOMAS

The Socialist candidate for President of the United States

New York Times Studio



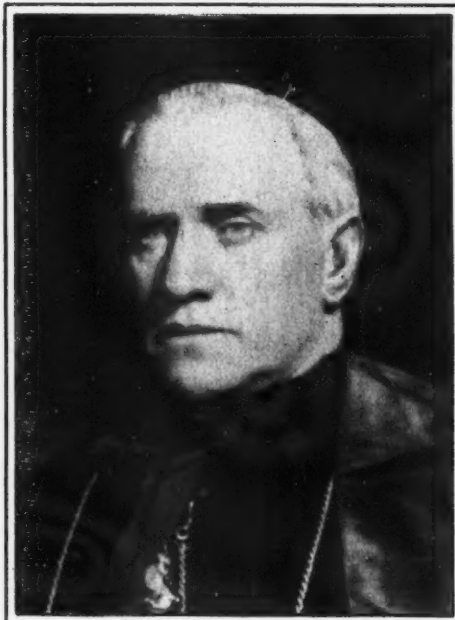
ELEUTHERIOS VENIZELOS

The Greek statesman who has again become active in the politics of his country

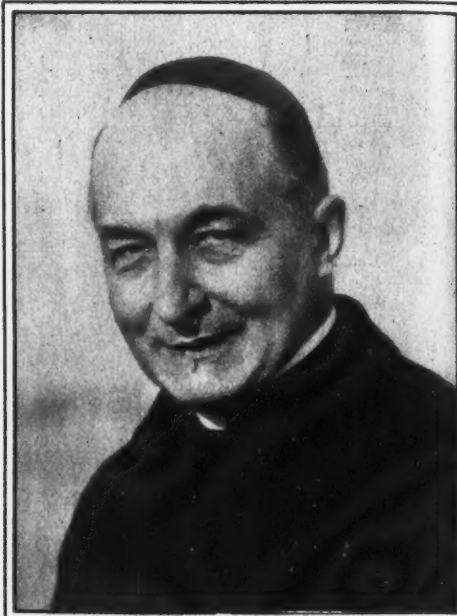
Times Wide World

THE FOUR CATHOLIC CARDINALS IN THE UNITED STATES

(See article on the Catholic Question in this magazine)



**PATRICK JOSEPH CARDINAL
HAYES**
Archbishop of New York
Marceau



**GEORGE WILLIAM CARDINAL
MUNDELEIN**
Archbishop of Chicago
Times Wide World



DENIS J. CARDINAL DOUGHERTY
Archbishop of Philadelphia
Times Wide World



**WILLIAM HENRY CARDINAL
O'CONNELL**
Archbishop of Boston
Harris & Ewing

ABYSSINIA, AN AFRICAN SOVEREIGN STATE



THE MARKET OF ADDIS ABBABA

Native merchants in the Abyssinian capital, where the United States is now represented by a Minister with full diplomatic powers

Ewing Galloway

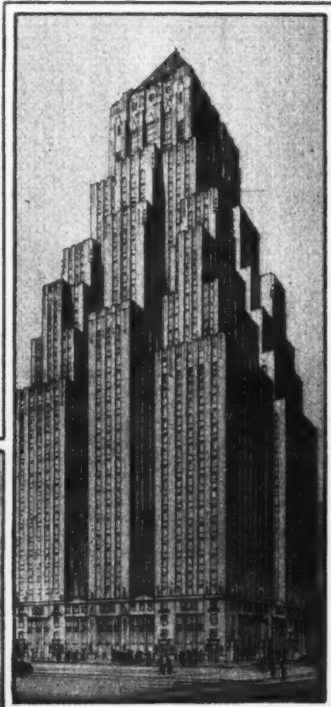
RAS TAFARI

The Regent of Abyssinia, heir to the throne and virtual ruler of the country, though it is nominally under the Empress Waizeru Zauditu

Times Wide World



NEW EXAMPLES OF AMERICAN ARCHITECTURE



(Left) NEW YORK'S LARGEST HOTEL
Now in course of construction, at a cost of \$22,000,000, this building, at Thirty-fourth and Thirty-fifth Streets and Eighth Avenue, will have more than 2,500 rooms and baths and will be 45 stories high, with foundations 72 feet below the street level

Times Wide World

(Below) THE NEW CITY HALL OF LOS ANGELES

A building that cost \$10,000,000. On its top is the Lindbergh Beacon

Times Wide World



TRUOUBLOUS DAYS IN RUMANIA

(See article elsewhere in this magazine)



PEASANTS' DEMONSTRATION AGAINST THE GOVERNMENT

On the march to the Congress at Alba Julia, held to protest against the present rulers of Rumania

Times Wide World



THE RUMANIAN CAPITAL

A street in Bucharest, showing the building occupied by the savings bank

Ewing Galloway

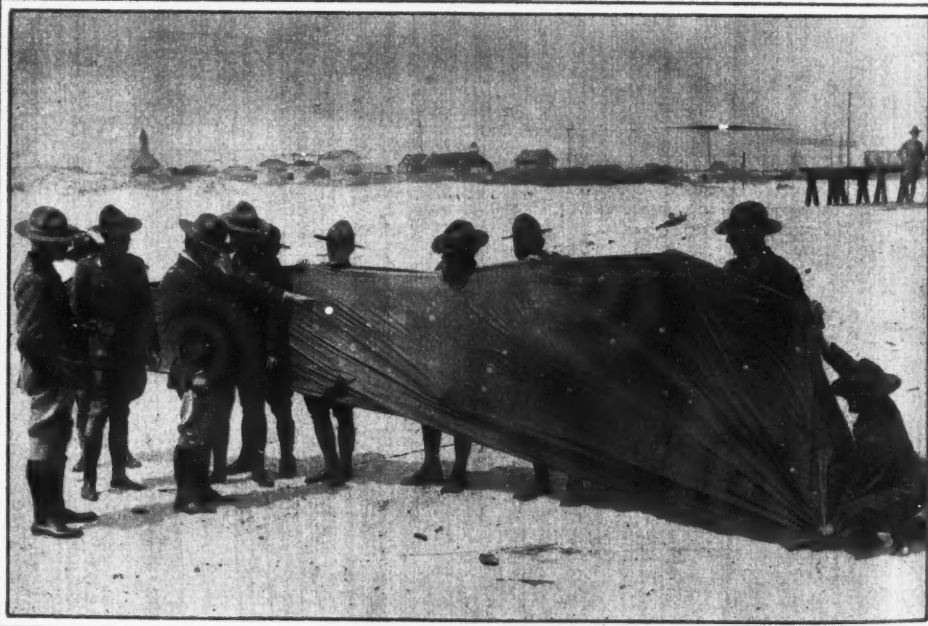
AMERICAN ANTI-AIRCRAFT DEFENSES



COAST ARTILLERY AT PRACTICE

Anti-aircraft battery practising with 3-inch guns at Fort Tilden, Long Island, N. Y.

Times Wide World



EFFECTIVE SHOOTING

Target towed by airplane, showing the hits made by machine gun bullets during practice at Fort Tilden

Times Wide World

Catholics in the United States

By WILLIAM MacDONALD

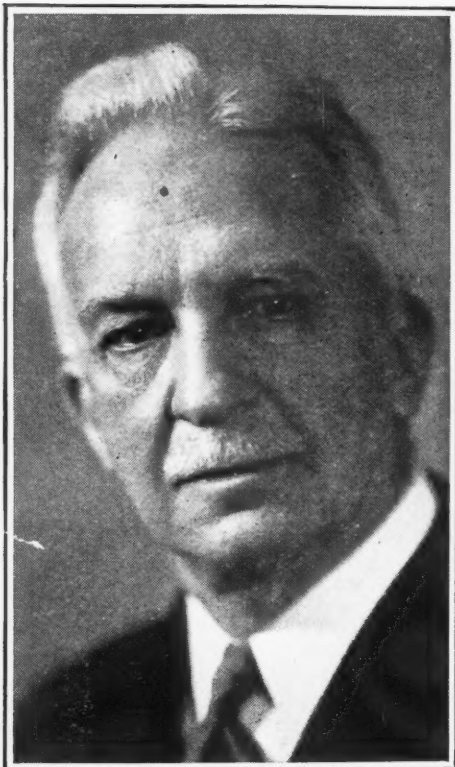
LATELY LECTURER ON AMERICAN HISTORY, YALE UNIVERSITY

WHEN the First Amendment to the Constitution of the United States with its provision among other things that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," became operative in 1791, both Congress and the States may well have thought that they had done all that was necessary to insure, in the field of national government, a complete and permanent separation of Church and State and an equally complete and lasting exclusion of religious issues from national politics. The amendment defined with precision the future attitude of the United States toward the only aspects of religion as a social matter which, down to that time, had been of any political interest to Americans. "An establishment of religion" meant, of course, a State Church, either nationally supported as in England or specially recognized and favored as in several of the States. The "free exercise" of religion meant complete toleration for divergent beliefs and practices irrespective of the number of persons involved. Against a State Church, which the great majority of the States then in the Union opposed, and in favor of toleration, which all of them desired and in fact granted, the amendment took a definite stand, forever excluding the one and guaranteeing the other in the Federal sphere. Only in the State, if any so chose, might religious tolerance be restricted or a religious establishment be recognized or set up.

What was not perceived at the time, apparently, was that the amendment, in spite of the precision of its language, did not necessarily banish religion from politics. Such questions, for example, as the political influence of religious or sectarian solidarity, of the binding force of religious precepts upon the citizen, of ecclesiastical control of church members or sympathizers, of the concern of a church for education or social reform, and of other similar matters associated with religious faith or activity were largely unaffected by the constitutional provisions. If ever the time should come when the membership of a religious body should be large enough to make its voting strength a factor in elections, if ever a religious sect or religious bodies as

a whole should be found arrayed for or against some national policy, it was inevitable not only that religion should become a political power in the United States, but also that its influence should be, on the whole, proportioned to the numerical strength of the churches, the effective reach of their organization, the measure of their control over the minds and consciences of their adherents, and their ability to enforce discipline in case of dissent or outside attack.

What was to be expected has in fact happened. Save for the excited imaginings of a few zealots, there has never at any time been reason to fear "an establishment of religion" in the United States or a widespread legal encroachment upon religious freedom. The intellectual and social bulwarks of New England Federalism, however, were the Congregational clergy of Massachusetts and Connecticut who ignorantly denounced Jefferson as an atheist, and the legal separation of Church and State in those two Commonwealths was not accomplished without a struggle almost as much political as ecclesiastical. The Native American movement of the '40s and '50s was directed not only against the extraordinary influx of European immigrants, but also against the control which the priests of the Roman Catholic Church exercised over their foreign congregations. The anti-slavery agitation divided Protestant churches and sects and reduced others to discreet silence, and the Mormon Church was disestablished in order to break its political power and root out polygamy. It is matter of common belief that the Ku Klux Klan would lose a large part of its following if its Protestant members deserted it, and that the American Anti-Saloon League has owed its strength from the beginning to Protestant backing. As late as May 19 last the annual convention of the Southern Baptists at Chattanooga adopted a resolution pledging the members of the denomination to "support for the office of President of the United States, or any other office, only such men as stand for our present order of prohibition, for the faithful and efficient enforcement of all law and for the maintenance and support of the Constitution of the United States in all parts and with all



Underwood

CHARLES C. MARSHALL

Author of the letter to Governor Smith of New York, which led to the latter's defining his position on the question of a Catholic as President of the United States

its amendment," and this notwithstanding the assertion of a leading delegate that the resolution violated the constitutional principle of separation of Church and State and was "an undisguised vehicle to inject the Baptist organization into politics."

Ever since the days of Native Americanism, however, the cardinal object of suspicion and attack has been the Roman Catholic Church. For this there have been mainly two reasons. The remarkable organization of the Church, its claim to universality at the expense of all others, its intolerance of dissent within its own ranks, its frequent refusal to cooperate with Protestant bodies, its asserted infallibility of the Pope and the binding force of Papal decrees, the secrecy of many of its operations, its attitude toward marriage and divorce, and its preponderant following among non-English-speaking elements of the foreign-born elements of the population and their

American-born descendants, have combined to create and foster the impression that the Roman Church, in spirit, if not openly in practice, was opposed to American life and to the principles of religious freedom which the Constitution ordains.

The second reason, akin to the first, but more general as well as more subtle, is to be found in the feeling among some observers that Roman Catholicism in America, on its cultural side, has been tested and found wanting. Catholic education, they aver, is of mediocre quality, the Catholic literary output meagre, Catholic worship perfunctory and Catholic social life a thing which is lived apart. The contribution which men and women of Catholic faith have made to the growth of the American nation has indeed been large and their devotion to it in peace and in war has been unquestioned, but it nevertheless appears to these critics that Catholic influence in the community has been relatively self-centred and unenlightened, and reactionary or conventional in matters of morals and taste. Those who entertain such views find, or affect to find, a ready explanation in the restraint which ecclesiastical authority imposes upon Catholic thought and the deadening weight of theological dogmas or moral canons centuries old and alien to the spirit of the modern age.

Both of these fundamental criticisms have lately been made the subject of examination by two American writers*, one Protestant and the other Catholic, each of whom is entitled to speak with something of authority on the particular phase of the subject with which he deals. Mr. Charles C. Marshall, whose challenge to Governor Smith of New York, in an article in the *Atlantic Monthly* about a year ago, forms one of the landmarks of the present Presidential campaign, brings his legal learning and acumen to bear upon the question of the opposing claims of the Roman Church and the modern State to the allegiance of its members. Mr. George N. Shuster, associate editor of the *Commonweal*, the Catholic political and literary weekly commonly regarded as the organ of the Catholic intellectuals, undertakes a critical evaluation of the political, intellectual and social position of American Catholics, partly by way of explanation and partly by way of defense and counsel.

**The Roman Catholic Church in the Modern State.* By Charles C. Marshall. New York: Dodd, Mead & Co. *The Catholic Spirit in America.* By George N. Shuster. New York: Lincoln MacVeagh. The Dial Press.

Mr. Marshall, who disclaims at the outset any consideration of the supernatural claims of the Roman Church, builds the structure of his brief upon the general proposition that between the sovereignty of the Church and the sovereignty of a modern State such, for example, as the United States, there is "an inevitable conflict." Not only may the Constitution, which guarantees religious freedom and equality, be changed by Catholics, if they are numerous enough to do so, through the usual process of amendment, but their "most sacred beliefs," Mr. Marshall insists, would require such change. The ground of the conflict, as he sees it, is found in the fact that while sovereignty in the United States rests theoretically with the people, in the Church it rests with the Pope in both theory and practice:

By its formal decree, the Constitution *Pastor Aeternus* of 1870, the Roman Church declared itself to be a sovereignty represented in the Pope, and, further, * at all its members owe the duty of obedience to the Pope in matters belonging to faith and morals, and to the government of the Roman Church throughout the world, under the penalty of the loss of salvation.

Pope Pius XI, in his encyclical of Dec. 23, 1922, declared:

The divine origin and nature of Our power as well as the sacred right of the community of the faithful scattered throughout the entire world, require that this sacred power should be independent of all human authority, should not be subject to human laws. They require, in fact, that these rights and power should be completely independent and that this should be made manifest.

Mr. Marshall concedes that the conflict, down to the present time, is theoretical, and that it is likely to remain such as long as Catholics number only about one-fifth of the population, but he seems convinced that the time is coming when theories may be put into practice. What is tolerated now "only out of favor or expediency" would, "if the majority of the citizens were converted to the Roman Catholic faith, and the teaching and doctrine thereof were put into practice," naturally be disposed of by constitutional amendments. "The expression of such considerations as these should not be construed by Roman Catholics, as they so frequently are, as imputing treasonable designs. There is nothing treasonable in a propaganda to amend a constitution by majority vote in a manner consistent with one's convictions." The situation is not to be met, he insists, by "quoting glittering generalities uttered by members of the Roman hierarchy on patriotism and

civil duties," for constitutional safeguards depend upon the numerical majority that maintains them, and the union of Church and State, instead of being "relegated to the limbo of defunct controversies," is in fact "advocated here and now."

The remainder of Mr. Marshall's book is essentially a commentary, mainly legal in character, upon this text. He examines in detail the Constitution *Pastor Aeternus*, in which the supremacy and infallibility of the Pope are propounded as articles of faith; the Syllabus of condemned propositions, issued in 1864, and the Encyclical Letter *Immortale Dei* of Pope Leo XIII, written in 1885 and declared by the Rev. Dr. John A. Ryan, in 1922, to be "the most authoritative doctrine that we possess regarding the nature, authority and object of the State and the relations that should subsist between the State and the Church." Other chapters summarize Catholic comments on the Encyclical Letter, trace the history of the struggle between democracy and government in the Church, examine the attitude of the Church toward freedom of conscience



GEORGE N. SHUSTER

Author of *The Catholic Spirit in America*

and toleration, and traverse the "twilight zones" of possible conflict in Papal interference with marriage, civil affairs, politics and education.

Mr. Shuster has little interest apparently in the legal analyses and subtleties which engross Mr. Marshall. He cannot, however, ignore the question of a possible conflict between the Catholic Church and the State, nor the fear to which Mr. Marshall alludes that American Catholics, if they became numerically a majority, might alter the Constitution to their mind. What he has to say on this phase of the subject is found in his chapter entitled "The Oath of Allegiance," a few excerpts from which will show his position better than a summary would do:

Catholicism is not monarchical, imperial or democratic, just as it is neither Greek nor Roman. The only thing about which it is certain, the only thing which it knows will not change, is the world beyond. * * * No political statement issued by the Vatican is * * * automatically infallible or anything of the sort. The rightness of the Papacy is considered incontrovertible only when its utterances restate or organically develop sacred Christian tradition of faith and morals. * * * Is a conflict between the Papacy, as the government of the Catholic Church, and the United States likely to arise? And if it should, to whom would the average Catholic citizen owe allegiance? The answer may best be given under two headings. First, any quarrel which the Pope as an individual might possibly enter into with the United States would at most have a repercussion in sentiment. * * * In the second place, a conflict between the Papacy and the United States regarding a matter of faith and morals would be conceivable only in case that certain measures suddenly made it impossible for Catholics to practice their religion or to abide by their moral principles. * * *

The great majority of Catholics in the United States have only the vaguest notion of the Syllabus of Pius IX; and I wager that none of those who do understand it has ever fancied, with certain zealous 100 per cent. pamphleteers, that it condemned democratic government, freedom of inquiry or comment, and genuine modern progress. Dealing as it did with the historical phenomenon known as "nineteenth century liberalism"—flogged by Nietzsche and Carlyle, scoffed at by Ibsen and Max Scheler, and lately anathematized by the generation which followed the war—it may not be a model of clear phrasing or even of tact, but it proved that the Church had not altogether gone daft. Similarly the statement of Pope Leo XIII that the situation in which Catholicism found itself in the United States was not an ideal situation must also be properly understood. Certainly an institution as old and venerable as the Church can easily imagine a place where it would be more entirely at home than in a land where Grand Wizards of various sorts appear as regularly as tornados, and where two-thirds of the social élite regard the word "Catho-

lic" as a sign that somebody is applying for a job as butler.

Whether or not a conflict is to be regarded as imminent or even possible, suspicion of the Catholic Church is undoubtedly one of the more striking phenomena of American life. A large part of Mr. Shuster's book is devoted to examining the grounds of this suspicion, estimating its value and pointing out wherein the Church and its adherents have failed to make the contribution which they seem to him to have been capable of making to the life of the nation.

The Catholic Church, for example, has always been *par excellence* the church of the immigrant, and to that extent that the foreigner has been feared or disliked, the Church which nurtured him has shared in the odium. "The handicaps which the foreigner brought with him have," in Mr. Shuster's opinion, "greatly impeded the work of the Church * * * but those acquired by reason of social conditions in the United States have caused nine-tenths of the ill-feeling against that Church." As for fear that constitutional government was in danger, most of that, he thinks, is due to what has happened in large cities like New York and Chicago. The supporters of the Ku Klux Klan are the people who "abhor the city," but Mr. Shuster does not believe that the Klan "has been or will be capable of doing any great injury to the Catholic cause, provided ecclesiastical buildings are adequately insured."

To sum up the essential differences between these two books: Mr. Marshall's treatise, with its close legal reasoning and its appendices of relevant documents, offers a store of ammunition for those who believe that the Catholic Church, in its organization as well as in its dogmatic tenets, holds the seeds of a possible conflict with American constitutional principles and guarantees, and that such conflict is imminent in the proportion in which the Church increases in numbers or meets resistance to its claims. Mr. Shuster, while not denying the possibility of conflict, views the issue as of slight practical importance, and dwells rather upon the untoward conditions which the Church has still to meet in a country predominantly Protestant, its great task of maintaining its spiritual hold upon its followers and its need of a larger participation in the cultural activities of the nation. The one writer, looking at the Church from without, sees the Church as a potential menace to the State; the other, viewing the Church from within, is more concerned with it as a problem to itself.

Did Germany Incite Austria in 1914?

New Evidence on the War Guilt Controversy

The continuing importance of the controversy over the complex problem of war guilt in 1914, with all its varied ramifications and interrelations, and its effect upon the post-war psychology of a number of the European Powers of today, and on the success of the great movement toward world peace, amply justify the publication of the symposium herewith presented.

This symposium bears on two chief questions vitally important for any adequate judgment of the charges brought against Germany and Austria as the chief culprits in the great tragedy of 1914: (1) How far was Austria-Hungary justified in her aggression on Serbia after the Sarajevo assassination, and (2) to what extent did German support, encourage, or even incite Austria in her anti-Serbian action?

Professor Harry Elmer Barnes, Professor of Historical Sociology at Smith College and well known as the chief exponent in the United States of the new "revisionist" school of historical interpretation of World War origins, leads the symposium with an article based on recent personal contacts and conversations with the chief actors in the great drama of 1914—with Count Leopold Berchtold, former Austro-Hungarian Foreign Minister; with Count Alexander Hoyos, Chief of Cabinet of the Austro-Hungarian Foreign Ministry in 1914; with Dr. Friedrich von Wiesner, legal counsellor of the Foreign Ministry and Austrian official investigator of the Sarajevo assassination in 1914; with the German statesmen Gottlieb von Jagow, former Foreign Minister, and Alfred Zimmermann, former German Under-Secretary of State. Professor Barnes also had lengthy interviews with the former Kaiser and the Crown Prince on the subject of the German attitude toward Austrian policy with respect to Serbia. All these Austrian and German authorities are cited by Professor Barnes in his article.

On receiving Professor Barnes's study, the editor of *CURRENT HISTORY* had it set up in type and transmitted to each of the German and Austrian statesmen quoted by the American historian. The replies and comments received follow Professor Barnes's article.

Finally, the symposium is concluded by an article by Michael T. Florinsky, associate of Professor James T. Shotwell, Director of the Division of History and Economics, Carnegie Endowment for International Peace. Dr. Florinsky in this study takes the view that the "new evidence" presented by Professor Barnes in no way diminishes the implication of Germany's responsibility for not holding Austria back in the fateful days following the Sarajevo assassination and leading directly to the World War.

The group of articles herewith are the first of a series of articles on war responsibility to appear in consecutive issues of this magazine. In August there will be published an important article by Alfred von Wegerer, editor of the *Kriegsschuldfrage*, the well-known (official) German review devoted to the question of war guilt, attacking the findings of the International Versailles Commission of Fifteen, which laid before the Preliminary Peace Conference in March, 1919, a report on the authors of the World War, on the ground that the commission's report was based on inadequate evidence; this article was sent by the editor of *CURRENT HISTORY* to all the original members of this commission for comment, and when published will be accompanied by all the replies received; in addition a well-known historian will reply to Dr. von Wegerer.

Lastly, in a subsequent issue will appear a striking debate on war guilt between two eminent official spokesmen for France and Germany, respectively: Senator Henri de Jouvenel argues the case for France and her allies; Dr. Friedrich von Rosen that for Germany and Austria. Each party to the debate was given an opportunity for rebuttal of his opponent's arguments. The whole debate will comprise fully 35,000 words—EDITOR OF *CURRENT HISTORY* MAGAZINE.

I—Germany Not Responsible for Austria's Action

By HARRY ELMER BARNES

PROFESSOR OF HISTORICAL SOCIOLOGY, SMITH COLLEGE

THE exchange between his Excellency Herr von Jagow and Professor Bernadotte Schmitt in the December, 1927, number of *CURRENT HISTORY* deals with one of the most crucial problems related to the question of responsibility for the World War. The writer of the present article was able during the Summer of 1926 and 1927 to gather a considerable body of revolutionary evidence on this subject which was not accessible to either Herr von Jagow or Professor Schmitt. This information, he believes, will add much to the documentary material available in the premises and will clear up for all time the major issues involved in the relation of Germany to the behavior of Austria during the crisis of 1914. This is a matter of great importance in settling the question of war responsibility. As late as the publication of his memoirs in the Autumn of 1927, Sazonov still accused Germany of primary responsibility for bringing on the war, and based this accusation upon the assertion that Germany initiated and encouraged the Austrian policy toward Serbia in 1914. It is well-known that in 1914 Paléologue constantly insisted, in his conversations with Sazonov, that Germany was the real culprit behind the aggression of Austria. This is admitted by students of war guilt to have had a marked influence upon Sazonov's early determination for war. This article and the accompanying comments will show how little ground there is for this classic contention in the Entente apologia.

In the first place, it is doubtful if any one can get far in this problem merely by calling attention to minor falsifications and misrepresentations by diplomats in 1914, which is the procedure followed for the most part by Professor Schmitt. There can be little doubt that Herr von Jagow may have misrepresented many details, such as dates of the receipt of information, though it would appear certain that his general contentions in his article in *CURRENT HISTORY* are thoroughly sound and well substantiated by the documents. Yet this is not a charge which can be made against Herr von Jagow alone. We would only need to call attention to Poincaré's falsifications in his appeal to Great Brit-

ain at the end of July, 1914; to Viviani's flagrant falsifications of the dates of the mobilizations, to Sazonov's falsifications in his reports to the Czar, and to Sir Edward Grey's complete misrepresentation of Germany's proposals in regard to Belgium and France in his speech of Aug. 3, 1914, to have compelling evidence that Sir Henry Wotton's definition of a diplomat as "an honest man sent abroad to lie in the interests of his country" still held good as a description of foreign secretaries and ambassadors in the great crisis of 1914.

We shall lay aside in this article all personal incriminations and try to set forth clearly and briefly the salient facts in the situation. In the period preceding the Sarajevo murder Austria had captured and decoded a large number of important diplomatic telegrams revealing the plots and machinations of Russia and friendly Balkan States against the interests of Austria-Hungary in this area. The Austrians in June, 1914, were almost as well aware of Hartwig's intrigues against the dual monarchy as we can be today from a study of the relevant documents in the Moscow archives. The statesmen of the dual monarchy had become convinced by the Summer of 1914 that Rumania could no longer be trusted as the chief ally of the Central Powers in the Balkans, and decided that she must be supplanted by Bulgaria. It was, of course, recognized that Russia's chief ally in these subversive schemes was Serbia, and the Austrians were particularly disturbed over the fact that the German Minister in Belgrade was decisively pro-Serb and had been able to convert the Kaiser to at least a benign attitude toward the Serbian cause. Such was the situation when the Archduke Franz Ferdinand was murdered at the end of June, 1914.

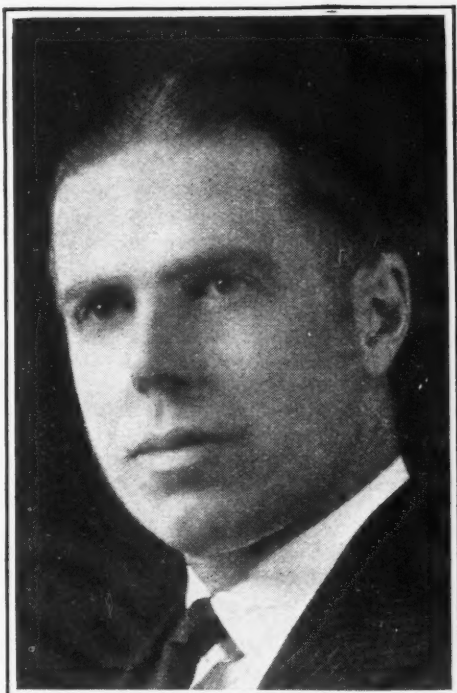
A few days after the murder of the Archduke, Count Leopold Berchtold, the Austrian Foreign Minister, sent his trusted associate, Count Alexander Hoyos, to Berlin to request a promise of German support in the impending crisis with Serbia. Count Hoyos arrived in Berlin on July 5 and the Austrian request for German support was presented to the Kaiser at Potsdam by

Count Ladislaus von Szögyény, the Austrian Ambassador to Germany. Hoyos himself presented the Austrian case to Acting Foreign Minister Zimmerman and Chancellor Bethmann-Hollweg. The Austrian plea boiled down to this: The Serbian menace had reached a point where it must be suppressed, in all probability by physical force; if allowed to go on unchecked, it would inevitably produce the destruction of Austria-Hungary and in this way lose for Germany her chief ally. Hoyos and Szögyény further emphasized the fact that it would be much safer to face the Serbian challenge by war in 1914 than at any later date. They held that delay meant better preparation on the part of Russia and a tightening of the Franco-Russian alliance and the English-Russian understanding. In a few years the forceful punishment of Serbia would be almost certain to entail Russian intervention and a European war. In 1914, particularly in view of the atrocious murder of the Archduke, this chastisement of Serbia might be achieved without the calamity of a general European conflict. Szögyény added to this practical argument in his interview with the Kaiser on July 5 a special personal and sentimental plea of dynastic loyalty of the Hohenzollern to the Habsburg—of the virile Wilhelm to the aged and venerable Franz Josef.

The German authorities all agreed without hesitation as to the justice of Austria's case and as to the logic with which it had been presented to Germany. Accordingly, Germany made her famous promise to support Austria in whatever policy she found it necessary to undertake in order to insure her safety against Serbia and Russian intrigues in the Balkans. Bethmann-Hollweg and the Kaiser felt certain that an Austrian war on Serbia would not be likely to produce a European war, but Zimmerman was rather more pessimistic in this regard, though he believed Germany and Austria quite capable of defeating any potential enemies in the event of a European war.

THE DUAL MONARCHY'S PERIL

The following is the core of the whole issue: Austria contended that she could not continue to exist without decisively suppressing the Serbian menace. Germany accepted this interpretation and concluded that her interests made it necessary for her to support Austria rather than to take the risk of the ultimate disintegration of her one and only powerful ally. In long and frank interviews during the Summer of 1927 with Count Berchtold, Count Hoyos



HARRY ELMER BARNES

and Dr. Friedrich von Wiesner, the three most important Austrian diplomats of 1914, the writer was assured by each of these men personally and independently that Austria must rest her case before the bar of historical judgment solely upon the accuracy of her major contention that the Serbian menace threatened the very integrity of the dual monarchy and could not be successfully withstood except through a punitive war against the Serbs or complete Serbian acquiescence in the ultimatum of July 23, 1914. They admitted frankly that they foresaw the possibility of a European war arising out of such action, though they did not believe such complications probable. But they felt it better to accept the chance of a European war than to face what seemed to them certain ruin if they failed to accept the Serbian challenge. This is a view which further evidence seems to have subsequently vindicated as reasonable and just when viewed from the Austrian angle.

There are some who admit that the Austrian case is a strong one in the light of the knowledge we possess today, but they contend that the Austrian action in 1914 was not justified by the knowledge possessed by the Austrian Foreign Office at

the time of the outbreak of the World War. Such writers base their position primarily upon the allegation that all the information which Count Berchtold had in his possession in July, 1914, was Dr. von Wiesner's brief telegraphic report on the Sarajevo murder, which, they allege, Berchtold suppressed lest Germany and the world should discover how little evidence existed of Serbian complicity in the assassination of Franz Ferdinand. Indeed, many support this view on the assumption that the only knowledge possessed by Berchtold was the brief passage of the Wiesner report which was torn from the context by James Brown Scott and Robert Lansing at Paris and gives the impression that Dr. von Wiesner believed Serbia utterly innocent in 1914.

As an actual matter of fact, the Austrian case against Russia and Serbia in 1914 was far stronger than even most scholars imagine. In the first place, the complete Wiesner report shows that in 1914 Austria was certain that the assassins came from Serbia into Bosnia, had been trained and armed by Serbian officers and had been able to pass into Bosnia with the connivance of the Serbian guards on the border. Further, Wiesner's real report to Berchtold in 1914 was not this brief preliminary telegraphic summary, which was designed only to serve pending his return, but a very thorough and complete oral statement presented to Berchtold and his associates after Wiesner came back to Vienna from Sarajevo. Berchtold did not suppress the Wiesner report at all, but merely examined it, noted its contents and then filed it awaiting the return of his commissioner with the full oral report. So complete and convincing was Wiesner's oral report that it was the chief thing which converted Count Tisza to the support of a much more vigorous policy toward Serbia than he had been willing to sanction a week earlier.

RUSSO-BALKAN PLOTS

But Austria was not even limited to the full verbal report of Dr. von Wiesner. For several years before 1914 the Austrians had captured and decoded a great many very important telegrams revealing Russian intrigues in the Balkans and the development of the Serbian plots against Austria. In particular, they had thorough knowledge that Hartwig, the Russian Minister in Serbia, was pursuing an authorized policy in directing the Russo-Balkan plots at the expense of Austria. Count Berchtold informed the writer in the Summer of

1927 that the material in these decoded telegrams was regarded by the Austrian Foreign Office in 1914 as more vital and more incriminating with respect to Serbia than the report of Dr. von Wiesner, but for reasons which are apparent he could not make public the sources of such information in the Summer of 1914. It was also the writer's privilege during the same Summer to have a long conversation with Dr. M. Bogitschevich, the courageous Serbian publicist who has done so much to clear up the facts about the Sarajevo plot and the activities of the Black Hand. He had just come from a complete examination of the Russian Archives containing the pre-war dispatches between Serbia and Russia, and he stated that this material thoroughly confirmed Count Berchtold's suspicions in regard to the policies and activities of Hartwig. Therefore, those who condemn Austrian action in 1914 on the ground that all she knew at that time about Serbia supported the theory of the complete innocence and benevolence of Serbia are sadly ignorant of the actual facts. So much for the case of Austria.

We may now consider that much debated issue as to how far Austrian policy and activities in the crisis of 1914 were affected by the attitude of Germany. It is essential to remember at this point that the chief element in the Franco-Russian charges against Germany is the allegation that Austrian policy in regard to Serbia was originated by and forced upon Austria by Germany. The writer questioned Berchtold, Hoyos and Wiesner in detail upon this point. It will be conceded by all reasonable persons at the outset that the Austrian statesmen of 1914 would not be likely to go beyond the facts in clearing Germany of essential responsibility for Austrian procedure. If they were to distort the facts, they would certainly be likely to do this for the purpose of making the ultimate responsibility seem that of Germany rather than Austria. When they accept the responsibility themselves, any one but the most persistent Hun-baiter is likely to admit that they are keeping well within the bounds of truth.

The Austrian statesmen above referred to frankly admitted that the appeal taken to Germany by Count Hoyos had been formulated by the Austrians quite independent of any German participation. Germany made no effort to dictate any new elements in Austrian policy, but simply consented to support the plan which Austria submitted and whatever subsequent additions Austria

felt necessary to make in the light of added information and changed circumstances. In fact, in Germany's answer to Hoyos's appeal it was explicitly stated that Austria must decide what procedure would be necessary and desirable in eliminating the Serbian menace. As Hoyos explained the matter, the Austrian Foreign Office after his return in no sense felt that Germany was dictating the policy of Austria. The dominant feeling in Vienna was that, after Austria had stated to Germany that her case against Serbia was a desperate one and after she had received the German promise of support on the basis of this assertion, she must take decisive steps against Serbia and refrain from backing down in her demands. Otherwise she would be likely to lose the respect of Germany, and perhaps even place in jeopardy the Austro-German alliance. Indeed, Tschirschky, the German Ambassador in Vienna, once stated to the Austrians that if they did back down Germany would find it necessary to secure a stronger and more determined ally elsewhere. But, as Berchtold and Hoyos admitted, this in no way affected the Austrian program in 1914, as Austria had no intention of backing down in her Serbian policy.

After having received this initial promise from Germany, Austria worked out her ultimatum to Serbia without any direct German knowledge or participation and submitted it in exactly the form which she desired without giving Germany adequate advance knowledge or asking her for advice on the subject. Likewise, in deciding to reject the Serbian answer and to make war on Serbia, Austria acted on her own responsibility and followed a line of procedure opposed to the views of the Kaiser on this subject.

CASE AGAINST GERMANY

There have been three major counts against Germany to support the thesis that she egged on the Austrians. One relates to the famous Szögyény telegram of July 27, in which Szögyény is purported to say that von Jagow had instructed him to tell the Austrian Foreign Office that Germany in no way sympathized with the British peace proposals and merely passed them on to Austria as a matter of form. Count Berchtold stated that this had no other effect than to confirm him in pursuing his intended action against Serbia until he learned through Berlin of the probability of British intervention. He stated that he was

never in the slightest doubt as to the sincerity of German peace efforts from this time (July 29) onward or that Germany meant what she said in her pressure telegrams.

The second count against Germany in this regard has been the charge that Tschirschky did not present the German communications of restraint to Berchtold with promptness and correctness and that he persistently urged the Austrians toward bellicose measures. Berchtold stated to the writer that Tschirschky, on the contrary, presented the German communications with promptness and accuracy, although declaring that the pacific policy which Germany suddenly adopted at the close of July—necessitated by the danger of British intervention—carried with it great peril to the success of Austrian action against Serbia. The bellicosity which Tschirschky had shown up to this time had exerted no practical effect upon Austrian policy, as Berchtold had himself decided upon his policy in the circumstances and stuck to this line of action until there was imminent danger of British intervention.

The third and final count in the indictment of Germany is to be found in the allegation that the telegrams of General von Moltke to Conrad von Hoetzendorff on the night of July 30 and the morning of July 31, urging the Austrians to mobilize and refuse mediation, were what nullified the effect of the pressure of the German civil Government upon Austria to accept mediation of the Serbian issue and to open direct negotiations with St. Petersburg. With reference to the Moltke telegrams Berchtold denied that they had a decisive influence on his action, adding that his remark involving uncertainty as to whether Bethmann or Moltke was in control in Berlin was made only as a result of irritation over the seemingly divided counsel in German circles. On the other hand, Berchtold stated that he had never broken off negotiations with St. Petersburg, and that he was led to make his well-known decision of July 31 to agree to mediation of the Austro-Serbian dispute because of the growing probability of British adherence to the cause of France and Russia.

One of the most interesting things which the writer discovered in his discussion of the diplomacy of 1914 with the Austrian diplomats was that the German pressure telegrams had almost no influence upon the Austrian diplomacy at the close of July, 1914. The Austrians had little doubt that Germany would stick by them in the event

of a European war and they were not afraid of such a war unless Great Britain came in. Hence the real reason why they consented to the mediation plan on July 31 was the conviction that Great Britain was likely to be their opponent in the event of a European war. Likewise, a main reason for their confidence in the previous weeks was the definite feeling that Great Britain would be neutral. Here, and here only, is there the basis for valid criticism of Germany. The German Foreign Office had not informed the Austrian Foreign Office up to July 29, 1914, that the Germans planned to invade Belgium in the event of war with France.

Therefore, it is apparent upon the basis of the best Austrian opinion that the Austrian statesmen reached their decisions in an independent fashion, on the basis of their conception of Austrian needs and interests and that Germany has no direct responsibility in these circumstances. As the above mentioned Austrian statesmen frequently insisted to the writer, Austria's case before the world rests upon the accuracy of the Austrian indictment of Russia and her Balkan allies, and her responsibility cannot be traced to German initiative. Germany acquiesced in the Austrian plans until very late in the crisis and the German responsibility likewise is bound up very closely with this same question as to the justice of the Austrian contentions. She based her support of Austria upon the assumption that the Austrian contentions were sound. If she believed this to be the case her attitude was, as even Professor Schmitt admits, consistent. If the Austrian case was a sound one, then Germany cannot be blamed for supporting it. If it was not a sound one, then Germany must be condemned to some degree at least for not having discovered this fact in 1914 and restrained Austria before it was too late.

AUSTRIAN DIPLOMATS' OPTIMISM

While Berchtold made it clear that Austrian policy was decided upon primarily by the Austrians without serious influence from outside, nevertheless he threw much new light upon the reasons for Austrian optimism in July, 1914, and for the Austrian persistence in adhering to a vigorous policy against Serbia. Here the encouragement given by the representatives of Russia, France and Great Britain in Vienna was infinitely more potent than any information or promises forwarded from Berlin. On July 22, 1914, Alfred Dumaine, the French Ambassador in Vienna, had a long

conference with Berchtold, in the course of which Dumaine told Berchtold that he had just been talking with Schebeko, the Russian Ambassador in Vienna. Dumaine stated that both he and Schebeko had agreed that there was very little probability indeed that France and Russia would go beyond diplomatic protests in the matter of the prospective Austrian policy in regard to Serbia. [See also *Austrian Red Book*, Vol. I, No. 53.] Coming on the eve of the transmission of the Austrian ultimatum to Serbia, this had a profound effect upon Berchtold and made him feel much more secure in submitting the ultimatum in its final form. Still further, Sir Maurice de Bunsen, the British Ambassador in Vienna, had been extremely friendly to Berchtold and had made him feel very confident that Great Britain would not intervene. Grey's indifference to the Austro-Serbian dispute still further confirmed this view of things. Even more significant, shortly after Austria submitted her ultimatum to Serbia, a member of the staff of the British Embassy in Vienna, received a reporter from the Vienna *Neue Freie Presse*, told him that he had read the ultimatum and thoroughly approved of it in both spirit and letter, asserted that Great Britain would never forget the friendly attitude of Austria during the Boer war, and assured the reporter that Great Britain would certainly not intervene to support France and Russia.

Count Hoyos confirmed quite independently the above assertions of Count Berchtold as to the French, Russian and British assurances of the improbability of war in the event of Austrian action against Serbia. Berchtold, Hoyos and Wiesner all expressed the belief, in all probability correct, that these French, Russian and British representatives were thoroughly sincere in what they said, but were very badly informed as to the secret policies of their respective Governments. It is obvious that these French, Russian and British assurances of non-intervention had as much influence upon the Austro-Hungarian diplomats in 1914 as did the alleged encouragement of Austrian action by Germany.

The writer also had an opportunity to consult at length the Kaiser, the Crown Prince and Herr von Jagow, the German Foreign Minister in 1914, with respect to the German attitude toward the Austrian policy with respect to Serbia. These German authorities asserted that they were convinced after the murder of the Archduke that Austria must act decisively against Serbia. They felt that such action was ab-

olutely essential if Austria was to succeed in maintaining her integrity, and Germany believed that she could in no sense afford to contemplate in a passive fashion the disintegration of her chief ally. Being convinced of the necessity of vigorous Austrian action against Serbia, they believed it would be far safer for the peace of Europe if undertaken in 1914 than it would if initiated at a later time when the Russian military preparations would be near to completion and when the French opinion would be more adequately brought around to the support of Russia by the subsidized French press. Therefore, they felt no hesitation whatever in urging the Austrians to go ahead with their plans and in promising German support in their execution. Neither Jagow nor the Kaiser approved of the Austrian ultimatum in detail, but the Kaiser did not see it until too late to protest and Jagow did not feel that he could very well protest in the light of the previous German assurances. The Kaiser, as is well known from the documents, decisively disapproved of Austria's rejection of the Serbian reply to her ultimatum, but once again he did not feel like open protest because of his earlier commitment. It is highly unlikely, however, that any of the prominent Germans felt any very deep concern over the risks involved in the Austrian policy until it began to look as if Italy might desert the Triple Alliance and Great Britain might go to the aid of France and Russia.

GERMAN DISAPPROVAL OF DELAY

Another thing which was very clear from the conversations of the writer with these eminent Germans is that they very greatly disapproved of the Austrian delay in taking decisive steps against Serbia. They felt that the quicker Austria struck the less the danger of a European war as a result of Franco-Russian intervention. Quick and decisive action on the part of Austria would, it was believed, give France and Russia far less time to lay plans for intervention and a European war. Further, every day of delay provided so much more time for Europe to recover from the first shock of the horrible crime at Sarajevo and would thus reduce the universal sympathy which Austria might exploit in her action against Serbia. Hence, Germany suggested to Austria that she move promptly against Serbia, but such advice was not for the purpose of bringing on a general European war. The real aim was exactly the opposite, namely, to induce sufficiently prompt Austrian action as to reduce nota-

bly the possibility and probability of the Franco-Russian intervention which would be the sole cause of a European conflict.

There is only one observation which the writer desires to make which is directly related to Professor Schmitt's article. It can scarcely be regarded as consonant with candor and directness to refer to the early Austrian consideration of the possibility of territorial partition of Serbia without calling attention to the fact that the Austrians later decisively abandoned this scheme, repeatedly assured the Russians that they would respect the territorial integrity of Serbia, and received a confession from Sazonov that he was satisfied upon this point. On this point the writer is able to offer new and first hand information. In a letter to the author of this article, Count Friedrich von Szápáry, Austrian Ambassador in St. Petersburg in 1914, shows clearly that Austria gave Russia adequate assurance that she did not contemplate a war of aggression against Serbia and that she would respect the territory and sovereignty of Serbia. This is also compatible with the documents in the Austrian *Red Book* and No. 223 of the Russian *Orange Book*, as well as with Count Szécsen's article in the *Kriegsschuldfrage* for February, 1926. We quote the relevant portion of Count Szápáry's letter:

"I can assure you most decidedly that, knowing the actual decision of the Austro-Hungarian Council of Ministers, all my conversations with Sazonov were conducted in a manner which showed from the beginning that our action against Serbia was not intended as a war of conquest or for the purpose of the establishment of a protectorate, and my German colleague, Count Pourtalès, spoke to him in a similar vein. Fully aware of the importance of this point and knowing exactly the formal decisions of my Government, I laid particular stress on this aspect of the question from the very day of the communication of the ultimatum to Russia, even before I had any formal instructions to do so. I can offer most decisive confirmation that this declaration was given in a manner which could not be surpassed in clearness or definiteness.

"Sazonov tried from the beginning to diminish the value of these assurances by arguing that the intended action of Austria instituted in itself a state of 'vassalage' for Serbia, as he expressed himself, and he always recurred to this argument without being able to give a plausible reason for this point of view. It is clear that Russia was to such a degree responsible for Serbia's

policy toward Austria-Hungary, and that she had encouraged Serbia in such a decided manner against her neighbor, assuring her of absolute protection in case of whatever consequences of this behavior, that Russian intimidation of Austria-Hungary seemed the only way out of the *impasse* created thereby.

"Unfortunately, the Western Powers

joined Russia in this attempt at intimidation, instead of trying to calm Russia, which, it is my firm conviction, a clear and determined word of Sir Edward Grey would have brought about. This seems to me to be the fundamental reason why war between the Great Powers—which is to be sharply distinguished from war between Austria-Hungary and Serbia—became inevitable."

II—Austria's Challenge Justified by Serbian Menace

By COUNT LEOPOLD BERCHTOLD

FORMER AUSTRO-HUNGARIAN FOREIGN MINISTER

FAR from the political activities of the European Continent, a few eminent scholars in America have in recent times taken on themselves the praiseworthy task of attacking, *sine ira et studio*, the question of war guilt, with the object of forming an objective, independent judgment on this complicated question through study of the pertinent documents as well as through personal discussions with the leading statesmen of the critical period of 1914 to obtain their point of view. One of these gentlemen—Professor Harry Elmer Barnes—I met last Summer and I was able to give him some clarifying information on the salient lines of the policy followed by us [Austria] during this period. His article, now published in *CURRENT HISTORY*, shows that he has used some of this information as a basis for his exposition, with the result that many one-sided, tendentious and false interpretations which have gradually won credence among the general public have now been revealed in their true light. This applies particularly to the motives which forced us to the steps which we took against Serbia in the Summer of 1914.

Quite rightly Professor Barnes emphasizes in this connection our conviction at that time—a conviction in no way weakened by the subsequent course of events—that the continuance of the Austro-Hungarian Monarchy was unthinkable without a definitive elimination of the Serbian menace. The view that the assassination of Sarajevo constituted the only motive of our action has been widely spread. Nothing could be more erroneous. When in 1903 the Karageorgievich Dynasty came to power in Serbia through the horrible and bloody

deed of which King Alexander of the House of Obrenovich and his Queen were the victims, the new Dynasty was bound to further the Greater Serbia program of the organization of officers to which it owed the throne—a program the realization of which was based on the destruction of the neighboring Monarchy and had this for its object. Then began upon our territory the underground activity which, emanating from secret Serbian organizations under the benevolent patronage of the Belgrade Government, made its influence felt in irredentist, subversive action and progressively prepared the way for the secession of all territories of the Austro-Hungarian Monarchy inhabited by Southern Slavs.

The danger of this movement to the life of our nation was bound to be enhanced by the fact that Russian diplomacy immediately assumed its moral direction and thus assured it a powerful backing. That this sprang less from altruistic motives—the favorite demand for the independent national development of the Balkan States—than from what was the true aim, to win the hegemony over the Balkans and later control of Constantinople and the Straits, I shall not go into further here. The fact is that the former Russian Ambassador in Belgrade acted as the spiritus rector of this subversive policy, partly in accordance with the thoroughly considered formula given him from the Pevchesky Most [Foreign Office] at St. Petersburg, partly under the local influence of the chauvinistic atmosphere of Belgrade. In this connection we do not have merely to refer to our information service, through which we were constantly informed of this situation;

Sazonov, in his recently published memoirs, says:

Only the control of the Croatian and Dalmatian (i. e., Hungarian and Austrian) Coast, and further, an outlet to the Aegean Sea, could bring that satisfactory solution of the economic question of which the Serbian people had dreamed so many years, and for which the Serbian Government had prepared from the moment when the realization of the Greater-Serbia idea began gradually to penetrate into the field of political possibilities.

And under date of April 23, 1913, Sazonov wrote to his Belgrade Ambassador, von Hartwig: "Serbia's promised land lies in the domain of present-day Austro-Hungary." "Energetic work" should be "devoted to preparing for the future inevitable conflict. Make this clear to the Serbs." How deeply the loyal servant of his master took these instructions to heart may be learned from Sazonov himself, who admits that the Ambassador sometimes went further in his agitation activities than his superior intended.

The annexation, which occurred in 1908, of the provinces of Bosnia and Herzegovina, occupied and held by us previously on the ground of a European mandate, meant, as is well known, nothing else than the legalization of an actual state of possession which had existed for decades and to which we were forced by the introduction of the constitutional régime in Turkey. The declaration made at that time by Serbia at the end of the crisis conjured up by her and fanned by Russia, to the effect that she [Serbia] would unconditionally recognize the new legal status and would continue to live in friendly and neighborly relations with the Monarchy, became a dead letter. Instead of fulfilling the agreed obligation, the incitive propaganda now really began, so that the British Minister at the Court of Vienna, Sir Fairfax Cartwright, certainly an impartial observer, was able to remark as early as 1910 that he did not understand how the Monarchy could endure this for any great length of time; that the first favorable moment should be seized to remove the menace of this restless neighbor and that then we should act quickly.

Another widespread historical untruth, not to say a propaganda lie, is combated by Professor Barnes with well-justified sharpness, viz., that the deliberately shortened dispatch of Wiesner of July 13, 1914, constituted the sole basis of our action against Serbia. Apart from the fact that the essential part of this telegraphic com-



Drawing by Kenneth Grove

COUNT LEOPOLD BERCHTOLD

muniqué was passed over in silence in 1919 by the American delegation [to the Paris Peace Conference], namely, the part establishing the relation between the attentat and individual Serbian officers and Government officials, also the tolerance of the Greater Serbia propaganda shown by the Government, it must also be pointed out that other sources of information were at our command, which, because of their character, could not be introduced into an open discussion.

Lastly, let the pregnant summary of our attitude toward Serbia be approved, wherein Professor Barnes states

that the Serbian menace threatened the very integrity of the Dual Monarchy and could not be successfully withstood except through punitive war against the Serbs or complete Serbian acquiescence in the ultimatum of July 23, 1914.

The demands made on Serbia in the note in question contained the minimum of those guarantees which under the given circumstances we considered necessary for assuring the future existence of the Monarchy. Hence, we had before us only one alternative: Integral acceptance of those demands or an appeal to the *ultima ratio* in the form of a punitive war.

Vienna, Austria.

III—Russia Chief Culprit in Precipitation of World War

By COUNT ALEXANDER HOYOS

CHIEF OF CABINET, AUSTRO-HUNGARIAN MINISTRY OF FOREIGN AFFAIRS IN 1914; HEAD OF MISSION TO BERLIN TO BRING AUSTRIAN APPEAL FOR GERMAN SUPPORT IN JULY, 1914

PROFESSOR BARNES'S interesting study appears to me to be so lucid and convincing that I do not feel that anything I could add would throw any further light on the subject which he has studied so thoroughly.

I should like, however, to lay more stress on one feature in the situation of 1914, which so far has been somewhat kept in the background or taken for granted as an inevitable fatality. No one quite realizes yet that Austria's quarrel with Serbia might have remained a local disturbance on the Balkan Peninsula if Russian statesmen had not seized this opportunity for beginning a World War. During the war I met a British diplomatist to whom, in discussing war origins, I pointed out that our situation in 1914 had closely resembled that of the British Government before the Boer War. His answer was: "Yes, but there was no danger of a European War breaking out if we fought the Boers." This is clearly an argument that must be contested by those who know how matters really stood. No country in the world was more peaceful, no country had more reason to avoid a European war than Austria. But we could not remain neutral onlookers when a small State like Serbia began working with bombs, assassins and treacherous propaganda, with the clear intention of separating our Southern States from the Habsburg Monarchy. There were no limitations to Serbia's action as long as Serbian statesmen could shield themselves behind the belief that Austria would keep the European peace at any sacrifice.

Russia did not decide on war in order to save Serbia. There were many other far more effective ways of doing this, even had it come to an armed conflict between Austria-Hungary and Serbia. I personally very much doubt that this would have been the case had Russia refused help to Serbia after the Austrian ultimatum. Russia's territorial or economic interests were nowise threatened by any action on our part against Serbia. Russian statesmen would also not have had to suffer any loss of

prestige by a peaceful attitude, as they were bound to play a leading part in the subsequent settlement of our quarrel with Serbia. After a few days of fighting Russia could very well have intervened in favor of Serbia. There is no doubt that had such a line been followed, Germany would not have dreamed of shielding Austria by opposing such intervention.

The reason why such a plan of action was unacceptable to Russian statesmen was that a peaceful attitude would have meant sacrificing the strong strategical position which Russia had attained in European politics by the aid of her alliance with France, her understanding with Great Britain and Italy, and her control of Serbian and Rumanian foreign policy after the peace of Bucharest. To understand Russia's action the psychological factors must be considered. Russian statesmen had been working up to a climax of nationalistic ambition since Izvolski decided after the Russo-Japanese war that an active policy in the Near East with the aim of taking Constantinople must be again attempted. This return to active Pan Slavism or Pan Russism proved successful. Russian influence and prestige gained ground in all European questions. Never again, from a Russian point of view, could the international situation be more favorable for the realization of Russia's imperialistic dreams, and Sazonov and Izvolski, though they may have wished to postpone the outbreak of the war for a year or two, in order that more strategic railways might be built, were certainly never in doubt as to the necessity, from their point of view, of beginning the World War when our ultimatum in 1914 gave them a favorable opportunity. There was never any question of any renunciation on their part in the interest of European peace.

Enmities between nations are bound to exist in international politics. We can all remember the strain between Great Britain and France during the latter half of the 19th century, the excitement there was over Egypt, Fashoda and the Boer War. Also the anxiety that long prevailed in Great

Britain over Russia's advances in Asia, the Pamirs and Khyber Pass or Tibet. And yet the boundaries between possible peace and war were very clearly drawn in these international disputes. Both Russia and France knew that asking for the impossible meant war, and that the issues in controversy must be avoided as long as no real, vital interest of their respective countries was threatened.

RUSSIA'S AGGRESSIVE POLICY IN 1914

In 1914 Russia's position was a very different one. Her successful system of treaties had opened opportunities, even where no purely Russian interest was in danger. An active and aggressive element thus came into Russia's foreign policy. Sazonov knew that France and Great Britain would have to support him in any issue, that Germany could be drawn in also. He held all the trump cards in his hand, and also realized that never again would such an opportunity return for revenge against Austria and the fulfillment of secular Slav ambitions.

From a psychological point of view, no one who has read Sazonov's and Izvolski's memoirs can doubt that to those two men, war with Austria and Germany meant the opportunity of revenge for personal insults and wrongs which they felt that Aehrenthal's Bosnian policy had inflicted on them. "Russia," says Sazonov in his memoirs, "kept the peace in 1908 in order to save Europe from a general war, and because she had not recovered financially or from a military point of view from her defeats in the Russo-Japanese War." In 1914 the situation had changed, Russia had restored her finances and army, and there was no more necessity for "saving the peace of Europe."

Austria's position was a very different one. For five years following the Bosnian crisis and Izvolski's quarrel with Aehrenthal, she had been watching a situation on her southeastern frontier, that meant a greater danger from year to year. Sazonov's memoirs trace a very clear picture of the stages that marked the progress of his anti-Austrian campaign. The secret understanding with Italy, the block of the Balkan States and their war with Turkey, the Peace of Bucharest and Sazonov's friendly advances to Rumanian statesmen are vivid flashlights in a development which he realized was bound, sooner or later, to lead to war with Austria.

For Austria the moment for a settlement of her dispute with Serbia was not propi-

tious. We had had many far better opportunities for coming to blows with our unruly neighbor. We could have solved the question in 1909 by attacking Serbia during the Bosnian crisis. There is no doubt that at the beginning of the Balkan War every one in Western Europe expected Austrian demands for parts of Macedonia. Austria, however, was bound to a policy of peace and non-expansion. Our modest demand for the creation of a free and independent Albanian State after the outbreak of the Balkan War there were more in Italian than in Austrian interest. We now know that the secret understanding signed between Italy and Russia after the meeting at Racconigi had arranged for the independence of Albania. Austria was handcuffed in her Eastern policy by her wish for peace, by Germany's dread of any Balkan adventures, by Italian jealousy and by Russia's paramount control of Southeastern Europe after the peace of Bucharest. The weaker Austria's position became, the more the hopes of all those were strengthened, who looked upon the Austro-Hungarian monarchy as a dying organism and who were only waiting for it to die.

As the position presented itself to Austrian Diplomacy after the Archduke's murder at Sarajevo there was only one way of protecting our Southeastern States from Serbian aggression, and that was to prove to our neighbors that we were resolved to defend them. Though the chances for the outbreak of a European war through any action on our part were very great, they had to be risked, and under the circumstances the possibility that a European war might be avoided were certainly greater than they would have been a year or two later, when Austria's position would be still weaker and our enemies would have gained in military strength. This was one of the reasons why Germany approved our action.

INTERVENTION INEVITABLE

Many people think that the fact that Great Britain signed an agreement with Germany on Colonial matters shortly before the eventful days of August, 1914, might have brought about a change in the international situation of Europe and thus have hindered the outbreak of war later on, had Germany acted with greater caution at the time. I cannot agree with this view. Britain's safety depended on her entente with France and Russia as long as the German fleet remained a menace to British sea power. The tragic feature of the situation lay in the fact that in order to keep

this insurance against Germany intact, British statesmen had to countenance policies in Europe on the part of Russia, and also of France, that were a danger to European peace. Personally I am inclined to believe that Sir Edward Grey was thinking of a change, when he saw that war was imminent. His remark to the German Ambassador in London: "If you help us once more to maintain the peace of Europe I foresee an entire change in our relations," would

seem to indicate this. And yet it is difficult to believe that Germany would have renounced her ambitions on the high seas, or that France and Russia would have accepted a diplomatic defeat of this nature. One thing must be borne in mind: by all laws of self-preservation Great Britain had to come into the war, as soon as the possibility of Germany's overrunning France and gaining the Atlantic seaboard appeared. Vienna, Austria.

IV—Austria's Life and Death Struggle Against Irredentism

By DR. FRIEDRICH VON WIESNER

LEGAL COUNSELOR, AUSTRO-HUNGARIAN FOREIGN MINISTRY IN 1914; OFFICIAL
INVESTIGATOR FOR AUSTRIA OF THE SARAJEVO ASSASSINATION

THE position in which Austria-Hungary found herself with respect to Serbia and Rumania before the assassination of Sarajevo is described by Professor Barnes with absolute correctness. If, however, we wish to survey the then-prevailing situation of the Danube Monarchy as a whole, as seems necessary for any judgment of the decisions taken by the Austro-Hungarian Government at that time, we must amplify somewhat Professor Barnes's exposition. For beside the Greater Serbia and Greater Rumania movements, there had existed for years outside of Austria two other irredentist movements which also aimed at the separation and annexation of territories of the Dual Monarchy: The universally active Italia Irredenta, which under the rallying cry, "*Trento e Trieste*," aspired to South Tyrol and the Adriatic territory, and Russian irredentism, which wished to annex Galicia and Upper Hungary to Russia.

Thus the Habsburg Empire was menaced by four irredentist movements abroad, all of which adopted the pretext that they must free their compatriots living on Austro-Hungarian territory. No analogous separatist tendencies of broad national scope within the empire corresponded to these nationalistic movements abroad. The agitation movements abroad had gradually succeeded in winning over single individuals or groups in Austro-Hungary, but the broad masses of nationalities aspired only to extension of their national rights within the framework of the monarchy. On the other hand, it was not to be denied that the work

of sedition carried on by the foreign emissaries had in the last years been intensified and had gained ground. The Government authorities of Austria-Hungary were not exactly informed of the success of the irredentist propaganda, as all these movements followed the methods of secret conspiracies. Only now and then could one get a glance into the workings of this activity. The trial, which I conducted in 1910 as State Attorney, of the Trient Irredentist Giuseppe Colpi, and that of the Russian Irredentists in Upper Hungary and East Galicia, which laid bare the underground activity of the Russian Panslavist, Count Bobrinsky, gave deep insight into the menace of these movements.

From the time of the Annexation crisis, but especially from the Balkan wars on, it was clearly to be seen that of these four irredentist movements the Greater Serbia propaganda was the most active, the most advanced and the most resolute. It had been shown that it could not be overcome by diplomatic means, for despite the solemn promise which Serbia had given, after the termination of the Annexation crisis, to cultivate friendly relations with the Dual Monarchy, the anti-Austrian propaganda in Serbia increased in intensity, and after the close of the Balkan wars grew steadily greater in extent. It was impossible to prove this by documentary evidence, but it could be perceived from innumerable indications, from the hate-filled words of the Serbian press and from the activity of Serbian propaganda in the Western States.

In two great trials conducted in Vienna and Agram the Government strove to break through the invisible net in which Serbia tried to enmesh the Habsburg Empire and render it defenseless. The Friedjung trial failed, because the documents by which the anti-Austrian activities of the "Slovenski Jug" Club were to be demonstrated were proved not to be genuine. But today we know that the activity of the "Slovenski Jug," as later that of the "Narodna Odbrana," subsequently founded, aimed at bringing about a state of revolution in the Southern Slav regions of Austria-Hungary, and that the Serbian witnesses who hastened to the trial bore false witness when they defended the aforesaid club against this charge. Exposed to the invidious comments of a considerable part of the world press, this trial led to the opposite of what had been desired in Vienna. In the eyes of general public opinion Serbia seemed to have been cleared of the suspicion that a revolutionary movement in the Southern Slav regions of Austria-Hungary had been carried on there. The second trial, the trial for high treason at Agram, led, however, in some single instances, to positive results, but because of the insincerity of the accused and of many witnesses, and the tactics of the counsel for the defense, did not bring forth the general clarification that was expected. The Serbophil propaganda abroad was clever enough to use this trial, also, to the disadvantage of the Danube Monarchy through malicious interpretation of the facts.

Thus the defense of the Danube Monarchy against the Serb revolutionary Irredentist agitation by the agencies of diplomacy and publicity had failed. It was quite in keeping with the aggressive character of this movement that after the close of the Balkan War it became even more intensified. The attempt by Jukich to kill Royal Commissioner von Cuvaj (1912), and of Shefer to kill Baron Skerlec at Agram (1914) pointed clearly to Serbian inspiration. Reliable information indicated that the Serbian Irredenta, in agreement with influential Russian circles, wished to strike decisive blows against the monarchy.

Such in its large features was Austria-Hungary's situation early in 1914. The Habsburg Government must have realized that these Irredentist activities which, after Racconigi and the Peace of Bucharest, also logically fitted into the international groupings, would some day lead to an attack or would give rise to international complications. But though Vienna clearly

perceived this danger, it was almost in the dark as regarded concrete details. But the point on which there was absolutely no information whatsoever was the question, how far the Governments of Serbia, Russia, Rumania and Italy stood behind the Irredentist movements in their respective countries, when the visible exponents of those movements were represented only by clubs and individuals. It could not be doubted, however, that these movements, conducted in the light of full publicity, had the approval and support of the respective Governments. But there existed no proofs which could withstand all criticism and would be absolutely convincing.

Only a few days after the assassination at Sarajevo it became clear from the judicial investigation that the plot had originated in Belgrade and that the plotters had there been equipped with weapons. Subsequent evidence led to the establishment of the fact that Serbian officers and officials were involved in the plot, and that this plot had its origin in a great organized movement which embraced all classes of society in Serbia. The political character of the murder, its Serbian origin and "Greater Serbia" motive were beyond doubt and could be demonstrated categorically. On the other hand, there were no proofs as to whether, and to what extent, the Belgrade Government had knowledge of the plot, whether it had any responsibility otherwise, and in what relation it stood toward the Greater Serbia movement as such. I repeat that at that time no one among the influential authorities of Austria-Hungary doubted that the Greater Serbia Irredentist movement was made possible only because the Serbian Government knew of it and directed it. But the Foreign Office did not wish to limit itself to mere conviction; it wished to know how much thereof was beyond doubt and absolutely demonstrable.

EVIDENCE GAINED AT SARAJEVO

The object of my mission to Sarajevo was to clear up this doubtful question. At the time of my departure, it had been decided that a very energetic *démarche* would be made in Belgrade. For what we knew of the murder plot against the Austrian heir to the throne, and what was known otherwise of the Serbo-Russian plans, showed beyond all doubt that the Greater Serbia Irredenta had launched upon a decisive offensive against Austria-Hungary, an offensive demanding a definitive defense. The Danube Monarchy was forced to deal a deathblow to Greater Serbia propaganda,

and thereby show the other three Irredentist propaganda movements its determination and readiness to maintain its integrity and its existence. Count Berchtold wished, in taking this fateful step, to shape the content and form of the Austrian demand in such a way that the charges which he brought against Serbia should be irrefutable. It was my task to ascertain the facts which would give those charges a sound foundation.

The evidences which I secured in Sarajevo had the following result:

1. The Greater Serbia Irredentist movement, which aimed to effect by revolutionary methods the forcible separation of the Southern Slav region from Austria-Hungary, was conducted from Serbia through large and influential clubs and other organizations, notably the "Narodna Odbrana," in which influential politicians, former ministers, high officials and officers participated. The Belgrade Government knew of this movement and its organization, and left it an absolutely free hand. These facts were demonstrated beyond all question and supported by a large amount of documentary evidence which I brought back with me from Sarajevo.

2. The assassination was resolved upon in Belgrade, and prepared with the collaboration of Major Tankosich and the Serbian official Ciganovich, who also delivered over weapons for carrying out the plot and arranged to have the assassins instructed in the use of these weapons. The carrying out of the plot was made possible only through the fact that the frontier authorities of Shabac and Loznica, according to information given by the Serbian official Ciganovich, with the cooperation of the Finanzwachorgane (local customs authorities) there, had smuggled the assassins and their weapons into Bosnia by secret ways. These facts were demonstrable and virtually unassailable.

3. On the other hand, there were no proofs that the Serbian Government had had previous knowledge of the attentat or had cooperated in preparing it. If we wished to assert this, we would have been confronted by the possibility that counter-arguments would be presented which at that time could not be refuted. I therefore did not assert that the Serbian Government had any knowledge of the attentat, but only that such an assumption was not demonstrable, and was exposed to the possibility of counter-arguments.

This result of my conclusions at that time I summarized in my dispatch from Sarajevo

of July 13, 1914 (*Red Book*, No. 17). In accord with the object of my task, this telegram was concentrated on the question as to what charges against Serbia could be brought in such a way as to be irrefutable. In order to bring out precisely the separate points of this question, I based the telegram on the ideas and expressions usual in the nomenclature of the Austrian criminal law. This dispatch was intended for private official use, for the Minister and his most intimate staff of collaborators, who knew my mission exactly, who knew what I had to say, and who could not misunderstand and who did not misunderstand the meaning of my communication.

REPORT TO BERCHTOLD

My oral report to Count Berchtold on the morning of July 15, 1914, was of course more comprehensive than the content of my dispatch; it covered numerous details of the evidence and reconstructed the relation of the attentat to our other information about the Greater Serbia movement, exactly as that movement has been so thoroughly described in the memorandum of the Foreign Ministry (*Red Book*, No. 48). Count Berchtold had communicated my dispatch to Count Tisza and Count Stürgh the day before, and therefore in no way did he keep it secret. To Count Tisza, at Count Berchtold's wish, on the afternoon of July 15, 1914, I explained for almost an hour the whole result of the investigation at Sarajevo and of my findings there. I can scarcely know what influence my report had on Count Tisza, inasmuch as before my personal conversation with him and specifically the day before he had knowledge of my telegram, and on the afternoon of the day of July 15 he had also learned of the conclusions which I had orally imparted to Count Berchtold. When I spoke with him (Count Tisza), he was already fundamentally convinced that the intended demands of the ultimatum were completely covered, and that in addition we must advance other and even more sweeping grounds of suspicion against Serbia. My conversation with him was, therefore, of a supplementary and recapitulatory nature, on the basis of which Count Tisza, after discussion, checked up his attitude toward the ultimatum and finally approved it.

If my dispatch of July 13, 1914, is compared with the text of the ultimatum, it will be demonstrated that the ultimatum did not make a single charge that went beyond what could be strictly proved at the time and the proof of which the memorandum presented with all details. It is

completely false, as is occasionally asserted, that Count Berchtold had no sufficient proofs of the charges brought against Serbia in the ultimatum. This opinion could have arisen only through the fact that the note of reservation of the American delegation to the "Commission for the Determination of the Authors of the World War and Their Responsibility" reproduced and made public from my 336-word dispatch only thirty-one words, entirely torn from their context, with the result that both the content and sense of my telegram were completely distorted and even made to mean the exact opposite. According to the citation of Messrs. Robert Lansing and James Brown Scott, the impression was given that I had declared Serbia to be completely guiltless, while, on the contrary I made a very clear statement regarding the serious charges which could be proved against Serbia. Through this false quotation of my telegram the American delegation introduced great confusion into the question of war guilt and laid on the Government of the Monarchist régime an accusation which was wholly without justification. My appeal to Messrs. Lansing and Brown Scott to clarify the origin of this quotation has to the present, unfortunately, remained unanswered. Neither of these two gentlemen, however, when they drafted this note in April, 1919, had read the memorandum of the Vienna Cabinet (at that

time this memorandum lay unread also in the archives of the Foreign Offices of France and Great Britain), for otherwise they would have been bound to notice that my Sarajevo dispatch did not read like the version quoted by them.

As is seen from these supplementary observations, the treatment of Professor Barnes is correct on all these points and in accordance with the facts. The charges which the Austro-Hungarian Government made against Serbia in the ultimatum were absolutely unshakable. The demands which the Vienna Cabinet based on those charges it was forced to present if it wished to maintain the State's existence. Whatever new facts regarding the Greater Serbia movement and the Sarajevo assassination have subsequently been made known only confirm the view that the Government of the Danube Monarchy correctly estimated the meaning of Serbian Irredentism, and that the responsibility of the Belgrade Government therefor and for the Sarajevo assassination extends far beyond the charges brought by Vienna at that time. From this may be seen the moderation and the feeling of responsibility of the Austrian statesmen who, though firmly convinced of this deep guilt of the Serbian Government in 1914, did not express this conviction, because they could not present the strict proof thereof to the world.

Vienna, Austria.

V—Germany's Reasons for Supporting Her Ally's Anti-Serb Policy

By GOTTLIEB VON JAGOW

FORMER GERMAN FOREIGN MINISTER

THE motives by which Germany's policy was guided in July, 1914, and the circumstances under which she acted, seem to me to be correctly set forth in the article of Professor H. E. Barnes, which I have read with great interest.

To understand those circumstances, we must mentally reconstruct the political situation that prevailed before the war. The Habsburg Monarchy stood out as one of the oldest of the Great Powers of Europe. It was a stately structure, built up out of the old "Ostmark," based on a long historical development, and held together in cohesive

unity chiefly by the common dynasty. "*Tu, felix Austria nibe!*" It was a factor of wide cultural significance. Intellectual life and the civilization of Western Europe were spread among the aspiring peoples of the east of our Continent mainly through Vienna, which was also an important factor of European peace. I recall that Sazonov once said to me, after giving vent to his anti-Austrian feelings, and quoting a phrase of Napoleon III: "But after all, if Austria did not exist, we would have to create it!" The correctness of this observation is demonstrated *ex post* by the status

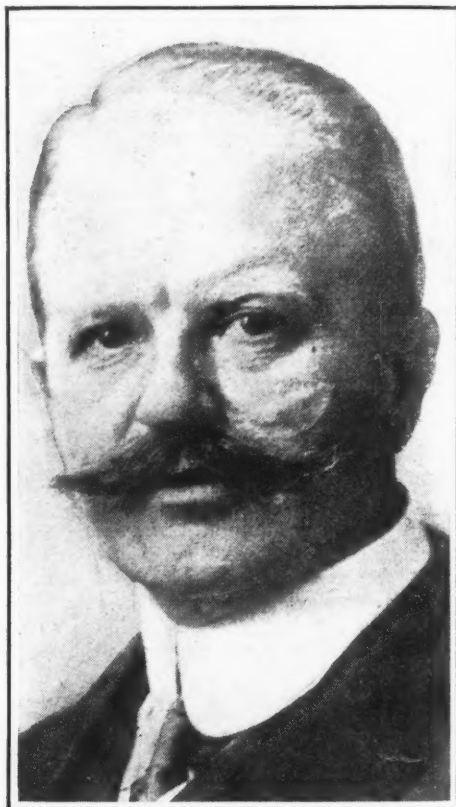
of affairs which arose after the collapse of the old Empire, and which has not inaccurately been described as the "Balkanization" of the former Habsburg territories. The existence of the Austrian Monarchy was menaced by the "Greater Serbia" aspirations and intrigues. To combat this danger was the right of a nation fighting for self-preservation and the duty of the responsible Austro-Hungarian statesmen.

The German Government, for the sake of maintaining peace, had hitherto counseled Vienna to pursue a conciliatory policy and to seek an understanding with Serbia. The Austrian memorandum delivered on July 5, 1914, after the assassination of the Austrian heir to the throne, showed the danger of the situation with convincing clearness. That the policy of Belgrade aspired to the creation of a Greater Serbian empire *at the cost of Austria*, has been proved by the revelations of the secret Serbian and Russian documents. In Berlin we never doubted that the threads of Sarajevo led to Belgrade; that the conspiracy which culminated in the bloody deed was tolerated, if not furthered, by the Serbian Government. The confession of Ljuba Jovanovich has subsequently confirmed this belief.

COGENT REASONS FOR SUPPORTING AUSTRIA

We did *not* spur Austria on to the action which she took against Serbia; Austria reached her decision, which she viewed as dictated by the law of self-preservation, of her own accord and without any outside influence. But we were bound to recognize Austria's cause as just. Could we hold back our ally and leave her in the lurch?

First of all, it was a question of a conflict which, in view of the rôle of protector which Russia had assumed over the Balkan Slavs, might have further European consequences. We strove, therefore, to "localize" the conflict, to prevent its spreading to other Powers. If Russia, nevertheless, seized the opportunity to take hostile action against Austria, the *casus foederis* became applicable to us. Our alliance with the Danube Monarchy had existed for three decades; it had been made public and was generally known. It imposed on us stipulated obligations, just as the Franco-Russian treaty imposed similar obligations on the two respective parties. But not only because of these covenanted obligations, but also because of our own position and prestige, we could not, in any war between Austria and the Great Power of the East [Russia], leave Austria in the lurch. Had we refused our help at a moment when our



ALFRED ZIMMERMAN
Former Foreign Minister of Germany

ally was fighting for its existence, what value would the alliance with Germany have had for Austria? The alliance would have been terminated; and where would we have found among the European group of Powers another point of support? We would have stood *completely isolated* before the hostile concert of the Entente Powers—France, Russia, Great Britain. Or does any one believe that for our abandonment of Austria, France would have sacrificed and consigned to oblivion her desires for "*Revanche*," Great Britain her distrust of our navy and her commercial rivalry, Russia her Pan-Slavic movement of expansion?

Great tension prevailed all over Europe. But trusting in the love of peace so often asserted by the Powers, and in the hope that they would not close their eyes to the justice of Austria's cause, we looked forward to the success of our efforts to localize the Austro-Hungarian conflict and to prevent a general conflagration.

Acting on the basis of these considerations, when Vienna communicated to us her decision to take action against Serbia, we advised her to act *quickly* while the shocking impression made on the world by the Sarajevo assassination was still fresh in the minds of all.

The result was contrary to our hopes. After we had initiated between Petersburg and Vienna the negotiations which we hoped would lead to an agreement, Russia proceeded to the action which, as she knew, was bound to destroy all hopes of peace—viz., general mobilization, through which she also threatened *us* and forced us to draw the sword in self-defense.

GERMANY NOT SURE OF BRITISH NEUTRALITY

I venture to make some observations regarding one point of Professor Barnes's arguments. Professor Barnes assumes that we had counted on Great Britain's neutrality. This was not the case. Britain's attitude was uncertain. It is true that the British Government, through the exchange of notes between Grey and Cambon on Nov. 22-23, 1912, of which we had knowledge through secret sources, had assumed heavy moral obligations toward France. But they were not *binding in all cases*. Grey in his letter had even made this reservation. In Great Britain the Parliament, as the chosen representative of the people, had to decide between war and peace. Popular opinion in Great Britain had recently somewhat improved in Germany's favor; the people generally wanted peace. Lord Grey himself

says in his Memoirs that an anti-war party existed in Parliament and even in the Cabinet. In Part I, page 312, he writes:

I knew it to be very doubtful whether the Cabinet, Parliament and the country would take this view on the outbreak of the war (sc., that the interest of Britain required that we should not stand aside, while France fought alone in the West, but must support her).

Further, on pp. 335-36, he writes:

The notion of being involved in war about a Balkan quarrel was repugnant. . . . If France were involved, it would not be in any quarrel in which we owed her goodwill, as in the Moroccan disputes. It would indeed not be in any quarrel of her own at all; it would be because she, as Russia's ally, had the misfortune to be involved in a Russian quarrel, in which France had no direct interest and which did not arouse feeling in the French people. . . . What, it was asked, was the good of keeping so carefully clear of alliances and obligations if we were to be drawn into European war in such a quarrel as this? . . . Such I felt to be how the situation was viewed by numbers of people, and I knew the desire to keep out of war to be very *widespread and strong*.

If even Sir E. Grey had such doubts, it was quite comprehensible that we in Berlin should be torn between pessimistic fears and optimistic hopes regarding Great Britain's attitude. Many important considerations indicated that Great Britain would not enter the war, at least not at its inception. But we never *counted firmly* on Great Britain's neutrality. Decisive for our attitude were the reasons why we could not leave our Austrian ally in the lurch.

Berlin, Germany.

VI—Austria's Fateful Decisions Reached Independently

By ALFRED ZIMMERMAN

FORMER GERMAN UNDER SECRETARY OF STATE

THE article written by Professor Harry Elmer Barnes on the relations and interchanges between Germany and Austria in 1914 has highly interested me. I beg to make the following remarks with regard to its statements:

It is quite correct that Herr von Bethmann-Hollweg and the Kaiser felt certain that an Austrian war on Serbia would not be likely to produce a European war, but that I was rather more pessimistic in this regard. Precisely in order to avoid the

danger of a European war, I was for a prompt action against Serbia, as I believed that in view of the terrible crime of Sarajevo, and the then universal sympathy with Austria, Russia and France would abstain from interfering. But I cannot confirm the supposition that I believed Germany and Austria quite capable of defeating any potential enemies in the event of a European war. Knowing already at that time the secret engagements of the British Foreign Office to France and Russia, I had

very serious reasons for not counting on the neutrality of Great Britain in case of war with France and Russia.

The Austrian statesmen rightly admit that their appeal to Germany and their ultimatum to Serbia were formulated by the Austrians quite independently of any German participation, that the ultimatum was submitted without giving Germany adequate advance knowledge or asking her for advice on the subject, and that in deciding to reject the Serbian answer and to make war on Serbia, Austria acted on her own responsibility. The Franco-Russian allegation that Austrian policy as to Serbia

was originated by and forced upon Austria by Germany is absolutely false.

I fully agree, on the other hand, with the declarations made to Professor Barnes by the Kaiser, the Crown Prince and Herr von Jagow.

The three "major counts" against Germany I am sorry not to be able to comment upon, as I have not at hand the material to peruse them.

Permit me to add that I highly admire and appreciate the most valuable efforts of Professor Barnes to clear up the question of responsibility for the World War.

Berlin, Germany.

VII—Statement by the Former Emperor of Germany

In reply to the Editor's request of the former German Emperor to comment on Professor Barnes's article, the following communication, transmitted through the "Acting Chief of the Household of H. I. M.," was received:

BY COMMAND of H. I. M. the Emperor I have the honour to inform you concerning your request of Feb. 28 that H. I. M., after studying Professor Barnes's excellent essay, finds that this eminent his-

torian has treated the question of the Austro-German relations in such an able, clear and exhaustive way, that nothing is left to be added or said.

H. I. M., therefore, in thanking you for your kind offer, will refrain from making any remarks or additions to Professor Barnes's essay.

(Signed) ACTING CHIEF OF THE HOUSEHOLD OF H. I. M.

Haus Doorn, April 5, 1928.

VIII—Germany's Responsibility Not Diminished by New Evidence

By MICHAEL T. FLORINSKY

DIVISION OF HISTORY AND ECONOMICS, THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

THE opening paragraph of Professor H. E. Barnes's article on Germany and Austria in 1914 contains the statement that during Professor Barnes's visit to Europe in the Summers of 1926 and 1927 he succeeded in obtaining a "considerable body of revolutionary evidence" which "will clear up for all time" some of the problems of the responsibility for the World War. The present writer fears that the hopes raised by this promise still remain unfulfilled. The new evidence is in the nature of present-day statements by former leaders of Austrian and German politics interpreting the situation as they look back upon it now.

In the very nature of the case, that kind of historical evidence is never accepted by the scientific historian as sufficient in itself. It may be legitimate as an interpretation of facts and documents otherwise known to us. But the historian's task is not to accept these statements as *ex cathedra* and necessarily true, because the authors were actors in the scene, but at least to submit them to an impartial analysis for this very reason. It is in this spirit that we shall consider the new evidence produced by Professor Barnes.

The leading actors on the Austrian side in the drama of July, 1914—Count Berch-



Drawing by Kenneth Grove

THE EX-KAISER WILHELM

told, Count Hoyos and Dr. von Wiesner—endorse the already familiar theory that “Austria must rest her case before the bar of historical judgment solely upon the accuracy of her major contention that the Serbian menace threatened the very integrity of the Dual Monarchy and could not be successfully withstood except through a punitive war against the Serbs or complete Serbian acquiescence in the ultimatum of July 23, 1914. They admitted frankly that they foresaw the possibility of a European war arising out of such action, though they did not believe such conditions probable. But they felt it better to accept the chance of a European war than to face what seemed to them certain ruin if they failed to accept the Serbian challenge.” This contention, in the opinion of Professor Barnes, is “reasonable and just when viewed from the Austrian angle.”

The explanation of so lenient a treatment of Austria-Hungary, which, in fact, is nothing short of a complete exoneration, is to be found in the assertion that in July, 1914, the Austrian Government had in its hands conclusive evidence of the participation of Serbia in the Sarajevo murder and of the existence of an anti-Austrian Russo-Serbian plot. This evidence consisted of:

(1) the telegraphic report of Dr. von Wiesner, supplemented by his detailed oral report; (2) a number of secret telegrams exchanged between Belgrade and St. Petersburg and intercepted by the Austrian Foreign Office; they established that “Hartwig, the Russian Minister in Serbia, was pursuing an authorized policy in directing the Russo-Balkan plots at the expense of Austria.” Let us consider each of these points.

1—Von Wiesner’s telegraphic report, which contained little that would justify the drastic action taken against Serbia (Berchtold himself seems to imply this by emphasizing the importance of von Wiesner’s oral report), was sent from Sarajevo on July 13 at 1:10 P. M. It closed with the announcement of von Wiesner’s departure for Vienna in the evening of the same day. It seems extremely unlikely that in the few hours which von Wiesner spent in Serbia after the dispatch of his report he obtained evidence which would induce him to change any of his fundamental conclusions, nor does Berchtold or von Wiesner disclose that any such evidence actually came to his knowledge. It may be assumed, therefore, that von Wiesner’s oral report was a mere elaboration, however valuable and interesting, of the conclusions he telegraphed from Sarajevo, and it is difficult to see how it could produce the effect attributed to it by Berchtold. These conclusions, it will be remembered, were that, while the assassins had been helped by Serbian accomplices, “there is nothing to show the complicity of the Serbian Government, * * * nor is there anything to lead one even to conjecture such a thing. On the contrary, there is evidence to show that such complicity is out of the question.” The “revisionists” have tried to explain away this fundamental document by adducing other data not known at the time of the investigation, but the fact is that they were not known then, and that the official report was so unsatisfactory to Berchtold that he did not publish it. The statement that Berchtold did not “suppress” the report but merely “filed it awaiting the return of his commissioner with the full oral report” seems to deal rather with words than with facts. As long as the report was withheld what does it matter whether we call it suppression or filing? But why was it filed? If the oral report incriminated Serbia, why did not Berchtold make more use of it to win over Tisza? The historian is not so much interested in what Berchtold makes

today of his impressions of the oral report as in what use he made of them then.

2—Let us now take up the Russian telegrams intercepted by the Austrian Foreign Office and regarded by it in 1914 "as more vital and more incriminating with respect to Serbia than the report of Dr. von Wiesner." We are told that in the Summer of 1914 the source of this information could not be disclosed for "apparent" reasons. It is to be regretted that Berchtold did not explain why, fourteen years after the outbreak of the war, they still remain unpublished, and why Austrian statesmen have never placed before the bar of history what they consider a vital piece of evidence for their defense. Surely, the "apparent" reasons (the writer confesses that he is at a loss as to what they are) which explain Austria's commendable discretion in 1914 are no longer valid. It may be remembered that not the slightest reference to the Russo-Serbian plot is made in Franz Joseph's autograph and strictly confidential letter to William and the attached memorandum which were taken by Hoyos to Berlin on July 4, and which set forth the case for Austria (*Austrian Red Book*, Vol. I, No. I). Nor does it appear from Count Czernin's memoirs that he was aware of any such plot.

RUSSIA'S DIPLOMACY IN BELGRADE.

We are also informed that the archives of Moscow have been examined by Dr. M. Bogitschevich and that they contain most damaging evidence as to the sinister part played by Russia in the Balkans. The archives of Moscow are, unfortunately, inaccessible to the present writer, but he examined the documents published by the Soviet Government as recently as 1925 and 1926 (*Krasny Arkhiv*, Vols. VIII, IX, XV and XVI) and dealing with *The Preparation for the Balkan War* and *The First Balkan War*. They cover a number of years and include numerous dispatches from Hartwig. The editors of the collection state in the preface that the documents have been specially selected in order to expose the treacherous and militaristic policy of the Imperial Russian Government. In spite of this, they contain nothing "revolutionary" and certainly do not corroborate the statement of Berchtold. The writer, therefore, cannot help but feel that the statement of Dr. Bogitschevich should be accepted with some caution, and at least has no documentary proof to sustain it.

As to the "authorized policy" of Hartwig, we fortunately have the authoritative evi-

dence of M. Sazonov himself. Commenting in his memoirs (*Fateful Years*, London, 1928) on the difficulties he encountered in 1912-1913 in his endeavor to restrain the national aspirations of Serbia, which were warmly supported by an influential body of Russian public opinion "which all but accused Russian diplomacy of high treason" (p. 74), M. Sazonov writes as follows: "My problem was still further complicated by the fact that even in Serbia * * * I did not always find that self-control and sober estimate of the dangers of the moment which alone could avert a catastrophe. * * * To my mind, the Serbian attitude was partly accounted for by the fact that M. Hartwig, our Minister to Belgrade, preferred the agreeable rôle of countenancing the exaggerated attitude adopted by Government and social circles in Belgrade, to the less grateful one which he should have adopted in the true interest of Serbia. * * * Hartwig interpreted Russian policy in Belgrade according to his own taste, and thereby greatly added to my difficulties" (p. 80). And again: "* * * The conduct of the Russian Minister in Belgrade in fostering Serbian aspirations * * * placed the Russian Government in an awkward position" (p. 82). The actual relationship between Hartwig and Sazonov is made clear by these remarks. In private conversations with the present writer M. Sazonov was still more outspoken. Sazonov's account of Russia's policy in Serbia will be found in his book. He frankly criticizes the rôle of Hartwig, who, unfortunately, could not be removed as a result of his exceptional position in Belgrade and his popularity with an influential body of public opinion at home. So much for the Russo-Balkan plot.

The interesting problem of the influence exerted by Germany on the policy of Austria is a good example of the extreme caution one should exercise in interpreting *post hoc* evidence of responsible leaders. Berchtold and his associates maintain that after the support of Germany had been assured on July 5 communications from Berlin had practically no influence on their attitude. This is one of those half-truths the fallacy of which may easily be detected and which are bound to find themselves at variance with undeniable facts.

GERMANY'S "FREE HAND" TO AUSTRIA

There is little doubt that the decisive factor in the relation between Germany and Austria was the commitment entered into on July 5 and 6 by the Government of Berlin to lend its unreserved support to



MICHAEL T. FLORINSKY

the Government of Vienna "whatever Austria's decision may turn out to be." In another place (*The Genesis of the World War*, 1926, p. 185) Professor Barnes describes this decision—and not too strongly—as "foolish and ill-advised." Having this assurance of Germany's support, to which it was rigorously adhering, Berchtold may well maintain with a fair degree of sincerity that the subsequent policy of Berlin had relatively little effect upon him. This, however, does not prove that the views of Wilhelmstrasse did not influence the policy of Ballplatz. If Germany, instead of fostering the aggressive policy of Vienna, had tendered counsels of moderation, would it have been entirely disregarded? One may be allowed to doubt this. From evidence such as the outspoken memoirs of Conrad von Hötzendorf it appears that the War Party in Vienna considered the support of Germany among its chief trumps, and was by no means indifferent to repeated assurances of such support which were forthcoming from Berlin. It exercised a strong influence upon public opinion. Are all these factors to be ignored?

There is, furthermore, at least one piece of direct evidence to show that on this occasion Berchtold's memory is failing him.

One should remember that in the first part of July the policy of Austria in Serbia was not yet definitely settled. There was still one obstacle to overcome—the opposition of Count Tisza, the only statesman in Vienna who realized all the danger of the situation. In order to triumph over his resistance Berchtold naturally used his major card, the friendly advices and information which were showered on him from Berlin. "Tschirschky has just left me," wrote Berchtold to Tisza on July 8, "and told me that he had received a telegram from Berlin by which his imperial master instructed him to declare that in Berlin an action of the monarchy against Serbia is fully expected, and that Germany could not understand why we should neglect this opportunity of dealing a blow. * * * Tschirschky's remarks impressed me so much that I thought they might in some degree influence your ultimate decision, and for this reason I am informing you without delay." (*Austrian Red Book*, Vol. I, No. 10.) Is this compatible with Berchtold's recent pronouncement that "the bellicosity which Tschirschky had shown up to this time [the end of July] had exerted no practical effect upon Austrian policy?" Count Montgelas has attempted to prove that Berchtold had misunderstood Tschirschky. This opinion may or may not be accepted, but the fact remains that Berchtold used what he believed to be, or represented to be, the wishes of Berlin, in order to win over Tisza. Was Berlin of no importance to Berchtold on July 8?

AUSTRIAN DIPLOMATS' OPTIMISM

It may be plausibly argued that Berchtold did not realize the full consequences of the action he was taking in Serbia, although, as he himself admits, he was willing to face a European war rather than to abandon his anti-Serbian schemes. And it is from Berchtold's own point of view that the choice of his conversation with Dumaine, the French Ambassador, on July 22, as an evidence in his favor is particularly unfortunate. To begin with, the first half of the official Austrian report of the conversation (*Austrian Red Book*, Vol. I, No. 53) gives little ground for optimism. "He [the French Ambassador] discussed all the eventualities which might result from an energetic step on our [Austrian] side toward the Cabinet of Belgrade, and painted the dangers resulting from a war between Austria-Hungary and Serbia in crude [dark? M. F.] colors calling attention to the

fact that it might become a war of the Slav races against the monarchy." Is this an optimistic outlook? And then the view of Schebeko, the Russian Ambassador, and, probably, the account of his conversation with him given by Dumaine, have been misrepresented in the Austrian report. What Schebeko and Dumaine actually thought of the situation is clearly stated in a communication of Sir Maurice de Bunsen, dated July 5, 1914:

"He [Schebeko] cannot believe that the country [Austria] will allow itself to be rushed into war, for an isolated combat with Serbia would be impossible, as Russia would be compelled to take up arms in defense of Serbia. Of this there could be no question. * * * M. Dumaine is full of serious apprehensions. * * * He has repeatedly spoken to me during the past week on the danger of the situation, which, he fears, may develop rapidly into complications from which war might easily arise." (*British Documents*, No. 40.)

It appears from the same communication that Schebeko's optimism was based on the belief that anti-Serbian feelings in Austria were limited to the upper classes and that this would exercise a moderating influence on the Austrian Government. That Schebeko's views did not change between July 5 and 22 may be seen from Dumaine's own report of his conversation with Schebeko, referred to by Berchtold. "The Russian Ambassador," wrote Dumaine on July 22, "has confided to me that his Government will not raise any objection to steps directed toward the punishment of the guilty and the dissolution of societies which are notoriously revolutionary, but could not accept requirements which would humiliate Serbian national feelings." (*French Yellow Book*, No. 18.) Is it not clear that the opinions of the French, and especially of the Russian Ambassadors, have either been misunderstood or misrepresented by Count Berchtold? As to a British diplomat's statement to the *Neue Freie Presse* [after the publication of the ultimatum], how could such a statement, even if it was actually given out by this diplomat, carry any real weight when confronted with Sir Edward Grey's unreserved condemnation of the ultimatum as a "most formidable document"? (*British Documents*, No. 19.) Foreign diplomats in Vi-

enna were left completely in the dark as to the proposed course of Austria in Serbia and found it difficult to keep in touch with Berchtold. (See *British Documents*, Nos. 40, 56.) What Berchtold is pleased to describe as their optimism was due to their reluctance to admit that Austria would take a step which would lead the Europe of 1914 to its doom, and not their ignorance of the "secret" policy of their respective Governments.

TERRITORIAL INTEGRITY OF SERBIA

Just a word about Count Szapary's letter. We know now that the suspicions of Sazonov as to the sincerity of Austria's assurances that the territorial integrity of Serbia would be respected were not entirely devoid of foundation. The decision of the Council of Ministers held in Vienna on July 19, after proclaiming the absence of intention on the part of Austria to increase its territory at the expense of Serbia, makes the following reservation: "Of course, the strategically necessary corrections of frontiers and the reduction of Serbia's territory to the advantage of other States, or the unavoidable temporary occupation of Serbian territory, is not precluded by this resolution." (*Austrian Red Book*, Vol. 1, No. 26.) This reservation gave Austria, in case of victory, almost a free hand in dealing with Serbia. Could this be accepted by Russia? And is it possible to maintain that Austria was honestly determined to "respect the territorial integrity of Serbia"?

Lack of space prevents the writer from undertaking more detailed examination of the evidence produced by Professor Barnes. From what has been said above one may perhaps be justified in concluding that the *post hoc* explanations of Austrian and German statesmen, however interesting in themselves, add little to our knowledge of the fundamental problems of the responsibility for the war. The existence of a Russo-Balkan plot is still to be proved, and Professor Bernadotte Schmitt's verdict still holds good: "Whether the German Government fully realized the consequence of its reckless (but deliberate) action may be debated, but its responsibility for Austria's course of action is overwhelming." (*CURRENT HISTORY*, December 1927, p. 398.)



French War Historian's Expulsion From Legion of Honor

By FAITH E. WILLCOX

WHEN M. Georges Demartial blazed forth with his views on World War guilt in *CURRENT HISTORY* for March, 1926, he little realized to what extent his analogy to the Dreyfus affair would parallel his own predicament. His article, a masterpiece of scientific research and fiery argument, was a résumé of his "revisionist" theory which seeks to bring about a reconsideration of Article 231 in the Treaty of Versailles—the article in which the Allies affirm and Germany accepts entire responsibility for the World War. As a result of this article, M. Demartial has been stripped of his rank and decorations in the Legion of Honor for five years.

In stirring up our imagination and interest in a subject so extensively discussed in the last nine years, he uncovers in his article the similarity between the sentence imposed upon Captain Dreyfus in 1894 and the sentence imposed upon Germany in 1919. He points to the fact that Dreyfus was convicted on insufficient evidence, and through prejudice. He reminds us that even when it was proved conclusively that Esterhazy rather than Dreyfus had been the author of the famous "Bordereau," even though high Government officials had by their actions admitted guilt, and even though years had passed and new trials had been brought about, Dreyfus was condemned. It was only after ten years and constant effort on the part of his family and friends that his innocence was finally established. Here, says Demartial, is the counterpart of the case now pending against Germany.

Although the article which M. Demartial wrote for *CURRENT HISTORY* appeared in the issue of March, 1926, it was not until October, 1927, that notification of the offensive reaction which it had caused in official France reached M. Demartial. He then learned that the matter had been discussed before the French Senate and had been referred to the Legion of Honor. M. Demartial, for sixteen years officer of the Legion of Honor, received on Oct. 26, 1927, this peremptory note from the High Chancellor of the Legion of Honor:

The magazine, *CURRENT HISTORY*, published in New York, has printed in its issue of

March, 1926 (Volume 23), under the collective title, *France's Responsibility for the World War*, three articles announced as follows on the cover: "Lies in the Treaty of Versailles," by a Famous French Authority. Replies by ex-Ambassador Gerard and Professor Bernadotte Schmitt." At the head of the first of these articles it says: "A Frenchman lays the blame on France, Russia and England, by Georges Demartial."

Will you be so good as to let me know without delay whether it is indeed you who have written this article, and in case it is either a translation or a report of an interview given by you, whether this text as published truly expresses your ideas.

(Signed) DUBAIL.

To this inquiry M. Demartial wrote that the article was indeed his own, that it expressed his ideas admirably, and furthermore that it had been printed previously in a French and in a German publication. He defied the Legion of Honor to prove his assertions false, to prove that the Governments of the Entente were innocent of war guilt. He realized, he said, that the reason for this inquiry is not whether he could prove his statements, but whether his rank as a member of the Legion of Honor should not prohibit him from speaking forth, even though his argument were justified. "In other words," he said, "The Order seems to take as its own the maxim 'Right or wrong, my country.' Whether it be right or wrong, one must take the side of one's country." He concluded with an insistence on his right to enlighten his readers on the true causes of the war and the circumstances under which it was launched.

The reply was a summons to M. Demartial to appear before an appointed commission of the Legion of Honor, charging him as follows:

Considering that the American magazine *CURRENT HISTORY* of March, 1926 has published regarding the responsibility of the War of 1914-1918, an article entitled, "*The Responsibility of France in the World War. A Frenchman throws the blame on France, Russia and England.*" By Georges Dumartial";

That this article is a translation of an article published by M. Georges Demartial, Officer of the Legion of Honor, one-time Director of Colonial Affairs of France, in the French publication *Evolution*, under the title, *Question of Responsibility of the War in France*;

That this article has produced among the members of the Order a profound reaction;

That indeed, instead of being presented as a scientific study, written with serenity of mind, tact, scrupulousness, and the respect for the finer feelings from which a historian always eager to seek out the truth, must never depart, this work takes the form of a veritable treatise;

That this article is couched in objectionable terms which do nothing less than tend to discredit France in the eyes of the foreigner;

That M. Georges Demartial appears to have committed in writing it an act which does injury to his honor;

That his responsibility is all the more deeply involved by his membership in an Order whose device is "Honor and Country" never to expose to danger the interests of his country which he cannot wound without injuring his own honor;

That, therefore, it seems proper by the application of the decree of April 14, 1874, to refer M. Georges Demartial to a Commission of Inquiry;

Considering the decree of April 14, 1874;

Considering the letter of the Association of the members of the Legion of Honor decorated for endangering their lives, dated July 28, 1927;

That it is decided:

That a Commission of Inquiry be constituted to investigate whether the writing and publishing of the article herewith signed by Georges Demartial be a blemish against his honor.

There were appended the names of three of his fellow-members in the Legion of Honor who were to sit in judgment on the case.

DEMARTIAL'S DEFENSE

To his defense, M. Demartial brought Zola, dismissed from the Legion of Honor for his thunderbolt "*J'accuse*"—and today honored in the Pantheon. The right to criticize one's own country should be allowed, he maintained.

It is not only France, says M. Demartial, who recognizes that the myth of German responsibility for the World War has been exploded. In England, Ponsonby, a former member of the English diplomatic corps, wrote in the April number of *Foreign Affairs* of London: "There is no one foolish enough still to maintain that Germany alone is responsible for the war." At the congress of the Labor Party held in June, 1922, where there were met five million voters, the President, in speaking the Treaty of Versailles, said: "This treaty is founded on the most destructive, the most murderous lie in history, the lie that Germany alone is responsible for the war. No peace will be possible until this lie is dissipated, until this treaty is revised."

M. Demartial asks why it should endanger not only the honor of one's country

but one's own personal honor to bring to light long-hidden proofs that it was the mobilization of Russia which was responsible for the World War? His thesis throughout his writings on this subject has been: Since the beginning of wars, a conflict is begun when a nation thinks that it is being attacked. The Russian mobilization of 1914 is an example of the appearance of a defensive war, when in reality it is found to be an offensive. It has been the stratagem of governments to convince their constituents that they are being forced into the furnace of war under the pretext that they are being attacked. Does it harm the honor of a member of any such duped nations to discover and try to prove for the benefit of his fellow-men that one fellow-nation has been wronged? But, in doing this, he has brought upon himself severe criticism and even serious injury, "for refusing to become, as several others have done, a scapegoat for M. Poincaré." In his writings he has said of M. Poincaré: "Born in a time when it was not necessary to deceive the people in order to make war, he might have left in history the reputation of a Richelieu or a Pitt." But holding no hatred for the men who made decisions in 1914, M. Demartial asserts only that their statements on the causes of the explosion of the World War are contrary to the truth.

All of this M. Demartial wrote in his own defense to the High Chancellor of the Legion of Honor. It was not sufficient. A new disciplinary statute of the Legion of Honor summoned the defendant to appear in person before the Commission of Inquiry. He had to find witnesses and call to his assistance an attorney-at-law. His friends testified in his behalf. M. General Chabaud, M. Gouttenoire de Tourry and M. Jean Richard Bloch, historians, all decorated for their war injuries, declared that they would never have dreamed of calling on their wounds and their decorations for the privilege of hindering their fellow citizens from expressing their opinions above all on such a subject as the responsibility for the war. Madame Dispan de Florian, the mother of a soldier killed on the battlefield, testified that her son and countless others had died with the hope that the truth might some day be known about the cause of the most monstrous of wars. MM. de Pierrefeu, Paul Reboux, Michel Corday, all officers in the Legion of Honor, expressed as men of letters the opinion that honor and patriotism, far from commanding silence on the part of M. Demartial, commanded him to speak.

M. D'Hartoy, the accuser, said of M.

Demartial's article in *CURRENT HISTORY* that he could see nothing in the views of M. Demartial but a collection of slanders. Whereupon M. Jean Richard Bloch, a scholarly writer of history, said of the article: "Every reader of good faith will realize that it is written in the vein of perfectly objective discussion, and with a remarkable respect for historic form." M. D'Hartoy as a member of the Legion of Honor claimed the right to demand the dismissal of M. Demartial, but had his arguments more weight than those of M. Demartial's own general, M. le General Chabaud? Or than M. Gouttenoire de Tourry, a cavalry officer who was injured and fell at the outset of the war, and because of the amputation of his leg was forced to hobble to the hearing on crutches to testify to the honor and patriotism of his friend, M. Demartial? Witness after witness spoke with ardor and real feeling of their confidence in the fact that M. Demartial wrote as he did from altruistic motives, led in no way by any consideration of personal interest nor by a desire to satisfy any personal grudge.

One testimony which surpassed in importance all the others was a protest from the students of the Ecole Normale Supérieure. These pupils had become familiar with the writings of M. Demartial, particularly his book, *The Mobilization of Conscience*. When the news of the suit against M. Demartial reached them they sent the following statement, signed by sixty-six of the students:

The undersigned,

Believing that an idea betrays itself when it accepts any other law than that of the object to which it is given,

Approve those who seek out with good faith the causes of the Great War;

Blame those who would stifle and even dishonor the free investigation on this subject.

Note. This is to protest particularly against the dismissal by order of the Legion of Honor, which threatens M. Demartial for his writings on responsibility for the war.

This protest was read to the Commission of Inquiry by M. Michel Alexandre, Professor of Philosophy at a Lycée de Paris, whose family includes no fewer than three grand officers and two commanders of the Legion of Honor.

DEMARTIAL FOUND GUILTY

The attorney who represented M. Demartial, a warrior with the Croix de Guerre and severely wounded in the war, had certain ideas on the subjects of religion, politics and the war itself which more nearly coin-

cided with those of the accuser than those of M. Demartial. Since he undertook the defense, he must have considered that there was no justification for the accusation against M. Demartial. He began by describing his friendship with M. Demartial over a period of many years. He pointed out that many people in every country had demanded the revision of the Treaty of Versailles, which holds Germany alone responsible for the war. These men were authorities whose scientific impartiality could not be questioned. He placed under the eyes of the commission copies of certain documents which had been published in the *Livre Jaune*, the authentic text used by M. Poincaré in his latest book to prove that the earlier documents had been tampered with. He agreed with the statements of M. Demartial that the *Livre Jaune* had been falsified to hide from the Parliament and the people of France certain important circumstances touching on the outbreak of the war.

GROUND OF VERDICT

But testimony, pleas, science and history were of no avail. When the Commission of Inquiry rendered its decision it was "Guilty." Their argument appeared to hinge on the fact that the article in *CURRENT HISTORY* was written in an impassioned tone, that the accused man had tried to put his own views into fiery expression in order to discredit France in the eyes of the United States, that by his blunt statements the Legion of Honor would somehow appear less honorable. They thought that his desire to make Germany an innocent party in World War responsibility was an exaggerated, if not a downright disloyal, argument. It appeared that M. Demartial had made no use of the term "innocent," in regard to the part which Germany played. He tried to make clear that his purpose was not to indict or free Germany. It was simply to bring to light certain facts long hidden which were not generally known about the mobilization of Russia at the outset of the war. And in the light of these facts he would build up a new structure of the War of Aggression vs. the War of Defense.

But instead of seeing his purpose, the commission saw only an affront to its dignity and to its honor.

For five years M. Demartial must relinquish all rights to membership in the Legion of Honor—a second Zola, martyred as a result of his courage and belief.

The New Spanish Constitution

By MALBONE W. GRAHAM JR.

ASSOCIATE PROFESSOR OF POLITICAL SCIENCE, UNIVERSITY OF CALIFORNIA AT LOS ANGELES

EVER since the assumption of power in Spain in 1923 by the Directory headed by General Primo de Rivera the Spanish Constitution of 1876 has been in abeyance. The failure of the Directory to call for new elections after dissolving the old Cortes left the country without a Parliament. Although the directory has managed to secure blanket approval of its actions by plebiscite, it has postponed until recently, after the convening of the so-called Spanish National Assembly, the question of reform of the Spanish Constitution.

The draft printed below contains the changes thought desirable by the Directory. It was prepared by Primo de Rivera and submitted to the Constitutional Commission of the Assembly. Although the members of the commission were sworn to secrecy in regard to its provisions, a copy was smuggled out of Spain to Hendaye, on the French frontier, where it was recently published in *Hojas Libres*, a monthly review put out by the leading Spanish intellectuals, including such men as Professor Miguel Unamuno, who have been exiled by the Spanish dictator. In the opinion of these Liberals the project is wholly reactionary and without merit, being merely an effort to deceive the Spanish public by a pretense at constitutionalism. "Far from being a consecration of the sovereign rights of a nation," writes Señor Eduardo Ortega y Gasset, the editor of *Hojas Libres*, "it is their piecemeal and ill-concealed negation. There is not a single one of the clauses which is designed to guarantee the national will. All the articles are, on the contrary, cement for the most complete monarchic absolutism."

Since the publication of the draft a cable dispatch of May 22 from Madrid to *The New York Times* states that "after months of technical labor and discussions the commission named by the new Constitutional Assembly has completed its work of drafting the text of Spain's proposed new Constitution, which will be submitted to General Primo de Rivera tomorrow [May 23]. The dictator will study the project and will later announce plans for making the Constitution effective." The dispatch goes on to say that the details of the commission's report were not disclosed, so that it is not possible at this writing to learn wherein the com-

mission suggests changes in the draft as prepared by Primo de Rivera and submitted to the commission. However, the purpose of the commission "has been to organize the nation upon a corporative basis, eliminating the evils which the Government considers traceable to the parliamentary system of government in the past. There will be a representative assembly, but with only consultative powers. One effect of the new Constitution, if it is adopted, will be to give legal color to the present dictatorship, which came into power through a coup disbanding the Parliament."

There is no doubt as to the authenticity of the document, which has genuine importance and interest as the constitutional embodiment of the principal political doctrines of the Spanish dictatorship. It is significant that *Hojas Libres* is absolutely forbidden to circulate in Spain.

The text of the proposed Constitution as drafted by Primo de Rivera, which is here published in English for the first time, follows:

BILL FOR THE REFORM OF TITLES II, III, IV, V AND VI OF THE SPANISH CONSTITUTION OF 1876.

Art. 1—The power of making laws resides in the Cortes with the King.

Art. 2—The Cortes of the Kingdom shall convene in one single Chamber of Deputies, of whom three hundred shall be elected by direct suffrage, one for every hundred thousand inhabitants, one hundred and fifty by the social groups whom they are to represent, and the remainder by the Crown.

Art. 3—Deputies shall be elected, and may be indefinitely re-elected or appointed for life in the manner determined by law. But they shall all have equality of rights and duties.

Art. 4—To be elected Deputy, a candidate must be of Spanish nationality, of age, and in the enjoyment of civil rights corresponding to such status.

The position of Deputy to the Cortes is not compatible with any post of a civil, military or judicial character, except that of Professor of the Central University.

Art. 5—Deputies shall be elected for five years.

Art. 6—Deputies to whom the Government or the Royal House shall grant a pension, employment or commission with salary, shall cease to exercise their mandate without the necessity of any declaration, if within fifteen days immediately following their nomination they do not inform the Cortes of their renunciation of such honors.

Art. 7—The King shall

Maintain the independence and harmony of all the organs of the Public Powers according to constitutional norms.

Convoke the Cortes and dissolve them, with the duty, in this case, of convening others before the lapse of three months.

Sanction the projects or propositions of law voted by the Cortes.

Keep watch over the national defense.

Assure the continuity of foreign policy in diplomatic and commercial relations with the other Powers, and of domestic policy in economic and social matters of great importance.

See to it that prompt, full and complete justice is administered throughout the Kingdom.

Art. 8—For the better exercise of these prerogatives the King shall have at his disposal a representative, consultative and jurisdictional organ called the Council of the Kingdom.

Art. 9—The Council of the Kingdom shall consist of 48 Members, a President and Vice President, the last two freely appointed and removed by the King.

Art. 10—*Ex officio* members of the Council of the Kingdom shall be The Heir to the Crown and all the Infantes of Spain who are of Spanish nationality and have reached their legal majority.

The Captain-General of the Army and the Admiral of the Fleet.

The Archbishops.

The Presidents of the Supreme Courts of Justice and of Public Finance and those of

the Council of State and the Supreme Court of the Army and Navy.

Art. 11. Eight members of the Council of the Kingdom shall be elected by the direct suffrage of all those inscribed in the electoral roster of the Deputies to the Cortes, assembled as a single National College.

Another eight shall be designated by the social groups which send representatives to the Cortes, assembled, likewise, in National Colleges.

The mandate of these Councillors of the Kingdom who are elective shall be personal and shall last ten years.

Art. 12. The remaining Councillors of the Kingdom shall be named by the Crown for life from among those who fulfill any of the following conditions:

Being or having been: *ex officio* or elective member of the Council of the Kingdom; *ex-Minister* of the Crown; Grandee of Spain with an annual income of more than 250,000 pesetas; Attorney General or President of a Section of the Supreme Court; Lieutenant General of the Army or Vice Admiral of the Fleet, in command of a region or department; Ambassador of His Majesty with more than five years of service; Life Deputy or Senator to the Cortes having already served five years, and President or Director of the Royal Spanish Academies of History, of Fine Arts of San Fernando, of Exact, Physical and Natural Sciences, of Moral and Political Sciences, of Medicine, and of Jurisprudence and Legislation, when these shall have been re-elected to their positions after having fulfilled completely the term of their first mandate.

Art. 13. The Council of the Kingdom shall consist of four Sections and one Permanent Chamber.

The Sections, composed of twelve members each, shall be named as follows: of Foreign Relations, of National Economy, of National Defense, and of Justice.

The Permanent Chamber shall be composed of the President and Vice President, four members designated by the Crown from among those of each Section and another four elected, one by each Section.

Art. 14. The Executive Power shall

Cause the laws to be executed and extend its authority to whatever shall conduce to the conservation of internal public order and the external security of the State in conformity with the Constitution and laws.

Suspend and close the sessions of the Cortes.

Promulgate the laws.

Exercise the supreme command of the Land, Sea and Air Forces and make use of them.

Grant military decorations, promotions and recompenses, civil employment and honors and distinctions of every kind, in conformity with the laws.

Issue the Decrees, Regulations or instructions which may be conducive to the execution of the laws.

Grant pardon to criminals in conformity with the laws.

Declare war and make or ratify peace, giving afterwards a documented account to the Cortes.

Conduct diplomatic and commercial relations with the other Powers.

Supervise the coining of money, on which



Times Wide World

GENERAL PRIMO DE RIVERA

The Spanish Premier delivering a patriotic oration in the early days of the present dictatorship

shall be placed the bust and name of the King.

Decree the payment of the funds destined to each of the branches of the Administration, within the limits of the Budget Law.

Art. 15. For the better exercise of this Executive Power, the King shall have at his disposal an active and consultative organ called the Government, or Council of Ministers. It shall consist of a President and as many Ministers as there are Departments among which the political and administrative functions of the Nation are distributed by law.

Art. 16—The King freely appoints and dismisses the Ministers.

For the better exercise of this prerogative he may call into consultation as many persons as he may judge it convenient to hear, and particularly the Council of the Kingdom.

The King may also request the Council as a whole to meet in order that it may propose, by a resolution which shall command a two-thirds vote of its membership, a candidate for the Presidency of the Council of Ministers.

If he deems it preferable, he may order that there shall concur in this vote, in addition to the Councillors of the Kingdom, either as many other such Deputies as shall be designated to this end by the elective part of the Cortes, or an equal number of conciliators elected to this end by direct suffrage. In the cases to which this paragraph refers a proposal not receiving a two-thirds majority of those voting shall not be regarded as valid.

If, made in this form, a proposal is accepted by the King, the person elected shall be deemed to have a mandate for five years for the exercise of his position.

In any case, the person charged with forming a Government shall submit to the approval of the King the list of Ministers and the substitutes for them of which there may be need in the course of the execution of his mandate.

Art. 17—The person of the King is sacred and inviolable.

Art. 18—The Ministers are responsible. No order of the King may be carried into effect if it is not countersigned by a Minister.

Art. 19—The Cortes of the Kingdom shall Discuss, modify, approve or reject the projects of law submitted to them by the Government.

Examine the propositions of law which the Deputies, in the use of their individual right of initiative, shall make. Take them up for consideration or not, and, in the affirmative case, treat them as though they were projects of law.

Receive the petitions which, isolatedly or collectively, the citizenry shall send up to them, and formulate them or not, into propositions of law.

Supervise the conduct of the Ministers by means of questions or interpellations, but no vote may again take place in regard to the subjects treated therein nor in regard to the requests that these make of the Government.

Prefer charges, before the Council of the Kingdom, in the form and with the guarantees indicated by the laws, against the Ministers alleged to have incurred civil or criminal responsibility.

Administer to the King, the immediate

successor to the Crown and to the Regency or the Regent of the Kingdom, the oath to guard the Constitution and the laws.

Ratify the election of Regent or Regency of the Kingdom, and the nomination of the tutor of the King during his minority, made by the Council of the Kingdom.

Art. 20—Every summons to a Cortes shall be accompanied by a Message from the Crown countersigned by the Government, in which shall be specified the important reforms of a legislative character which are to be submitted in the course of their mandate to the Deputies about to be elected.

Art. 21—Laws of a constitutional character shall so declare in one of their articles and, once promulgated, shall not be modified without a previous announcement of the scope of the proposed reform in the Message convoking the Cortes, and only when voted by more than three-fourths of the Deputies and approved by more than half their number.

Art. 22—Every project or proposition of law voted by the Cortes shall go to the Council of the Kingdom to be examined there, and shall be returned in the maximum space of one month with the objection of unconstitutionality if they shall affect constitutional matters and shall not have observed the requirements of the preceding article, or with the objection of incompatibility with other fundamental norms which continue in force.

The Cortes shall deliberate on these observations; but to reject them shall require the presence of one half plus one of the individuals comprising the Cortes.

The text definitively approved by the Cortes shall be submitted to the sanction of the King who, with or without hearing the Council of the Kingdom, shall be able to oppose his final or suspensive veto, with an appeal to a referendum.

In exceptional cases and those of extreme urgency, when it shall not be possible to promulgate a law in time because of the slow action of the Cortes, the King, having heard the Council of the Kingdom, may cause it to be approved by referendum and sanction it immediately thereafter. A special law will determine the form and guarantees of the intervention of the Council of the Kingdom and of direct appeal to the electoral body in legislative matters.

Art. 23. The Cortes of the Kingdom shall function in a permanent manner except for brief periods of vacation.

Art. 24. The qualifications of Deputies elected and the legality of their election shall be examined by their colleagues of the permanent part.

Art. 25. The Cortes shall draw up the Regulations for their internal Government and shall name their President, Vice Presidents and Secretaries. They shall be opened by the King in person or by his Ministers.

Art. 26. The plenary sessions of the Cortes shall be public, and only in cases demanding reserve may secret sessions be held.

Art. 27. The Council of the Kingdom shall Propose to the Cortes the Regent or the Regency of the Kingdom and the tutor of a King during his minority.

Advise the Executive Power in whatever matters affect foreign relations, the fundamental bases of national economy and the defense of the country by land, sea and air.

Warn the Cortes of the unconstitutionality

of projects or propositions of law which they may have approved, or of the conflict of their provisions with others in force.

Advise the King whenever he shall so request, and, particularly, as regards treaties requiring no special law, the interposition of legislative veto, the exceptional promulgation of laws not voted by the Cortes, changes of Government, the appointing of the President of the Council of Ministers and the dissolution of the Cortes.

Take cognizance of the matters referred to in Paragraph 4 of Article 31.

Try, as a Court of Justice, the Ministers impeached by the Cortes.

Appoint the Magistrates of the Supreme Court and of the Supreme Court of the Army and Navy and decide in last instance the cases dismissing Judges and Magistrates.

Decide the respective competence of the representatives of the Executive organ and those of the Judiciary, and the conflicts of jurisdiction between the divers branches of Government.

Art. 28. The Council of the Kingdom shall function in a permanent manner except during brief periods of vacation.

Art. 29. The Councillors of the Kingdom and the Deputies are inviolable for their opinions and votes in the exercise of their mandates.

Art. 30. The Councillors of the Kingdom and the Deputies may not be prosecuted nor arrested without the previous knowledge of the body to which they belong, except when they shall be caught in *flagrante delicto*. The Supreme Court shall hear the criminal charges against them in the cases and in the form prescribed by law.

Art. 31. The Government shall Exercise in the name of the King the prerogatives enumerated in Article 14, except as provided for in the following paragraphs.

Advise the King in the granting of honors and distinctions of all classes, and in the exercise of clemency.

Issue, also in the name of the King, all manner of Decrees, Regulations, and general instructions, even though they may not have as their object the execution of the laws, so long as the subject matter within which they fall shall not be among matters reserved by the Constitution to the competence of the Cortes.

Both in this case and in that of paragraph 6 of Article 14, the Government will have to hear the Council of State regarding the constitutionality of regulations, and their compatibility with what is established in pre-

existing law. If the opinion should be unfavorable, the Government will have to accept it or appeal to the Permanent Chamber of the Council of the Kingdom, whose resolution shall be final if confirmed by the full Council by a vote in which two-thirds of its members concur.

Art. 32.—If the Cortes shall reject any project or proposition of law or if the King shall refuse his sanction, no other proposals having the same object may be made in that legislature.

This provision shall likewise be applicable to the legislative proposals not commanding the quorum provided for in Article 21 or in paragraph 2 of Article 22.

Art. 33.—The King must be authorized by a special law

First—To alienate, cede or change any part of Spanish territory.

Second—To incorporate any other territory into that which is Spanish.

Third—To admit foreign troops into the Kingdom.

Fourth—To ratify treaties of offensive alliance which provide for the giving of subsidies to any foreign Power and all treaties which may obligate Spaniards individually.

In no case may the secret articles of a treaty invalidate the public ones.

Fifth—to abdicate the Crown in favor of the immediate successor.

Art. 34.—The King will have to hear the opinion of the Council of the Kingdom before ratifying treaties which do not require a special law according to the provisions of the preceding article, and in regard to the secret clauses of those requiring special legislation.

Art. 35.—The King, before contracting marriage, will bring it to the knowledge of the Cortes, to whose approval shall be submitted the contracts and stipulations of marriage, which must be the object of a law.

The same procedure shall be observed with regard to the immediate successor to the Crown.

Art. 36.—The Civil List of the King and his family shall be fixed by the Cortes at the beginning of each reign.

Art. 37.—Ministers may not be Deputies to the Cortes nor Councillors of the Kingdom, nor take part in the discussions of either of the aforesaid bodies. They shall only come before these in an informative capacity under the conditions and in the form which the special law on the relations between the Executive and Legislative organs shall indicate.



Noguchi a Martyr to Medical Research

By WATSON DAVIS

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WITHOUT the blare of bugles and the blaze of flags, in the quiet stillness of laboratories, there are those who died not alone for their country but for humanity. The list of scientific martyrs is long and the gifts of their sacrifices have been many. In the records there is now inscribed the name of Dr. Hideyo Noguchi.

Japanese by race, scientist by profession, he was a part of an American effort to conquer a disease that constitutes a menace to the civilization of at least three continents. He did his last work in Africa, making a further attack upon yellow fever which, through his efforts and those of his colleague, had practically been banished from the Americas, once its stronghold. The world was Noguchi's country. Just a year ago before he took up the fight against *Leptospira*, the causative organism of yellow fever which he exposed to the world, he discovered the cause of trachoma, the eye disease that blinds so many of the American Indians. Telling attacks upon syphilis and smallpox were made by Noguchi and he also contributed to the knowledge of many other diseases.

It may take months or years for the medical world to estimate the importance and value of the most recent researches of Noguchi. When he was stricken with the disease he insisted that samples of his own blood be taken from his body for inoculation of monkeys. His associates are carrying on with the cultures that he left. When the tests are completed it may be that it will be possible to settle definitely the ancient controversy as to whether there are one or two forms of the dread "yellow jack"—one American, the other African. Then it will be possible, perhaps, to lay the blame for the origin of yellow fever upon Africa, whence the disease was carried to America by the slave trade.

During work on yellow fever in South America in 1918 Noguchi isolated a germ believed to be the cause of yellow fever. From it he developed a preventive vaccine and a serum that proved fairly efficacious if used within two or three days after the

onset of the disease. Campaigns against the deadly *stegomyia* mosquito, carrier of the disease, practically stamped out the infection in the Western Hemisphere, but it continued to be a serious menace in West Africa. It is important that the disease be suppressed in Western Africa before a transcontinental railway is opened. Otherwise the yellow fever would be carried not only to the east of the African continent, but also to teeming Oriental countries in which the *stegomyia*, the yellow fever mosquito, thrives. Health authorities quail at what might happen if the infection spread to this region. Once the mosquitos of India and Southern China were infected the yellow fever would take great toll among the unsanitary homes of those countries.

With such a prospect it is understandable that a determined effort is being made to smother the disease in its last stronghold. The International Health Board of the Rockefeller Foundation established the laboratory in which Noguchi was working at Lagos, Nigeria. A staff, highly trained, has been at work on the problem for several years. In South America Noguchi was able to transfer the disease to monkeys or even guinea pigs, but workers in Africa for a long period found it impossible to inoculate any animals, a condition that indicated that the disease is different in the Eastern and Western Hemispheres, despite the similarity of the outward aspects of the disease on both sides of the South Atlantic. Finally, however, monkeys of the variety known as *Macacus rhesus* were infected with typical African yellow fever. Instrumental in this achievement was Dr. Adrian Stokes, a British investigator, at Lagos laboratory, who gave his life as a result of the researches. Like Noguchi he succumbed to the disease with which he worked. But his work constituted an important step, since it did away with the necessity in studying the African form for volunteer human victims, such as were called for by the United States Army Commission in Havana in 1900. At the same

time the workers were unable to find the causative *Leptospira* in the patients' blood. It almost seemed as if the two diseases had different origins.

Since Dr. Noguchi was generally conceded to know more about this particular group of germs than any other living person, he undertook the African trip last Fall to see if he could separate the two diseases. Perhaps his skillful crippled hands, famous throughout the realm of bacteriology for their technique with test tube and microscope, could demonstrate *Leptospira icteroides* where others had failed, or even show an entirely different cause. While at work he contracted the disease and died. From the evidence now at hand authorities at the Rockefeller Institute for Medical Research are inclined to believe that the work he has left indicates that there are two distinct forms of the disease.

As these lines are being written the news comes that Dr. William Alexander Young, Director of Medical Research, died from yellow fever at Accra, on the Gold Coast, on May 30. He was assistant to Dr. Noguchi in investigating the disease which has now been fatal to three important research workers.

HIGH FREQUENCY X-RAYS

Extreme high frequency X-rays, generated in a million-volt tube, are the next item of promise on the program of the California Institute of Technology at Pasadena. Allied to the investigation of the cosmic rays, which has recently yielded such interesting results, is the attempt, long under way at the institute, at the artificial production of very short waves, and therefore very penetrating radiation. In the hands of C. C. Lauritsen and R. D. Bennett this work has already yielded some promising results. As yet no apparatus can be devised for handling the terrific electric potential required for the artificial production of cosmic rays. For intermediate rays of about one-twenty-billionth of an inch wave-length, however, there seem to be experimental possibilities. Such rays are much shorter than the surgeon's X-rays and much more difficult to produce. The X-ray "tube" used in the new work is several yards long, made in sections similar to the glass cylinders used in gasoline-dispensing apparatus. Before operation all but one-billionth part of its air content is pumped out. A water-cooled anode raised to a potential of a million volts pulls electrons bodily and violently out of the near-

by cathode by the application of the principle of "field currents" studied intensively for some years past at the Norman Bridge Laboratory by Millikan, Eyring and Lauritsen. Under this terrific force the electrons attain a speed very near to 186,000 miles per second, the velocity of light. Striking the anode at this enormous speed the electrons generate X-rays much like the gamma rays naturally emitted by radium.

In preliminary trials now being run in the high tension laboratory of the institute, where a million volts to ground at a thousand kilowatts is available to the experimenters, Messrs. Lauritsen and Bennett have succeeded in obtaining continuous operation of their new tube at voltages that have approached the million mark. The high frequency rays produced were observable through the steel doors of the laboratory more than 100 feet away. The physicists of the institute make no pretense of any immediate project beyond an extension of spectrographic studies, long a part of Dr. Millikan's program. It is suspected, however, that these new and very difficult experiments are a preliminary skirmish in a further campaign on the nucleus of the atom. It is well known that the gamma rays of radium are intimately connected with nuclear disintegration and transmutation of elements. The structure of the nucleus, to be sure, is a profound mystery, but there is plausible evidence of enormous forces connected therewith. Electrically the problem is one where voltage is counted in seven and eight figures. Economically the problem suggests fabulous power values as yet wholly within the domain of fancy.

SYNTHESIS OF SUGAR

The synthesis of sugar by two Swiss chemists, Professor Ame Pictet and Hans Vogel, has aroused great interest among the chemists in this country. For this is a problem on which investigators have worked in vain for over fifty years because of its scientific interest and possible commercial importance. Sugar of the common sort, extracted from cane or beet is easily split up, or, as it is called "inverted," by weak acids, forming two other sugars. One of these is glucose, which is now manufactured in the United States from corn. The other half is fructose, which can be manufactured from Jerusalem artichokes, as has recently been demonstrated here by the United States Bureau of Standards. But to bring these two sugars together so as to form sugar of the common

or table variety has hitherto been impossible. Professor Pictet has discovered that the difficulty has come from the fact that fructose exists in two forms identical in composition but differing in the arrangement of their atoms. By transforming the normal fructose over into what is called the "gamma" form he was able to combine this with an equal amount of glucose and get sucrose or common sugar. This he accomplished by first joining to each molecule of glucose and fructose four molecules of acetic acid, the acid of vinegar. After the two sugars have been combined the acid is easily eliminated by alkali. Since this is a difficult and expensive process, it could not be employed on a commercial scale, but it is important as proving that it is possible to make sugar artificially, and it suggests the possibility of inventing new kinds of sugar which are not to be found in nature. Some of them might prove to be sweeter than common sugar or safer for the use of diabetics. Professor Pictet of the University of Geneva is now 71 years old and has long been one of the world's leading authorities on the constitution of sugar and cellulose. Within the last two years he has succeeded in synthesizing two other of the double sugars, lactose which occurs in milk and maltose which occurs in malt.

CENTRE OF THE "UNIVERSE"

By study of the star clusters that dot the sky, and the way they are distributed throughout space, astronomers at the Harvard College Observatory have been able to locate the centre of our galaxy. This is the "universe" of which the sun and all the stars that we can see in the sky are part. The centre is in the general direction of the constellation of the Scorpion, but so distant that it would be necessary to travel at the speed of light, 186,000 miles a second, for 52,000 years to reach it.

The Scorpion is characterized by the bright star Antares. The light from Antares takes about 125 years to reach us, traveling some six million million miles each year. So small is this compared to the distance of the solar system from the heart of the Galaxy that Antares is practically our

next-door neighbor in one of the outlying stellar suburbs. Dr. Harlow Shapley, Director, has arrived at this startling conclusion by a study that the Harvard Observatory has been making of some interesting regions in the Scorpion and the neighboring groups of Ophiuchus, the serpent carrier, and Sagittarius, the archer. These regions turn out to be the galactic centre, though their identification as such is a by-product of other researches. It is from the distribution of the globular clusters, vast spherical swarms of stars, that has come the best determination of the direction of the centre of the Milky Way. But this is not the only basis for his belief. Counts made of faint stars by Dr. Frederick H. Seares of the Mount Wilson Observatory, confirm the determination. So do the distribution of new stars, the number and faintness of stars that vary their light regularly, and the motions of the stars in the region of the sun.

Another important fact has been revealed by the velocities of these stars. They show that, just as the earth revolves around the sun, the sun itself is revolving around the centre of the Galaxy, with a speed that cannot yet be accurately determined. It is, however, between two and three hundred miles a second. Whether there is a "central" sun at the centre of the Milky Way around which the stars revolve is another question that cannot now be answered. Scattered throughout space, outside the Galaxy and far beyond it, are numerous spiral nebulae. These are watch-shaped objects usually with a spiral structure. By recent work of Dr. Edwin P. Hubble, at Mount Wilson, some of these have been proven to be swarms of stars, like that of the Milky Way itself. Many of them have a nucleus of bright material, at the centre, and it may be that our own galactic system has such a nucleus at the centre in the direction of Scorpio, Ophiuchus and Sagittarius. However, there is in these constellations dark matter in clouds that makes its presence evident only by its silhouette against the bright starry background. This would obscure the central nucleus, if there is one.



Aerial Events of the Month

The Disaster to Nobile's Airship—Successful Flight From America to Australia

THE sudden disappearance of the dirigible Italia, commanded by General Umberto Nobile, on its return trip from a successful flight over the North Pole on May 24, seemed to have added a new tragedy to the long list of disasters in the history of air navigation in recent years. But the gloom spread over Italy and throughout the world by the supposed loss of the Italia with General Nobile and the rest of its crew was dramatically dissipated on June 9, when radio messages came to announce that the airship was down on the ice and the crew apparently safe.

The venture of General Nobile to reach the North Pole after the preliminary flights from Italy to Germany, and thence to Spitsbergen (the Italia left Stolp, Germany, at 3:23 P. M., May 3, arrived at Vadsoe, North Norway, on the morning of May 4, landed at King's Bay, Spitsbergen, after a stormy night flight, on May 5) may be said to have really begun with the first flight from King's Bay, at 7:48 A. M., on May 11, after several days employed in repairing one engine and the envelope which had been torn in landing at Vadsoe. But owing to the encountering of dense fog rising to a great height and heavy winds General Nobile was forced to return to his base after an eight-hour flight.

Not until 1:20 P. M. on May 15 did the Italia take the air again for its trip of polar exploration. It flew in crisp, golden sunlight; and a radio message received at Rome the same day reported that the ship had reached hitherto unexplored regions of the Arctic, despite fog and the formation of ice upon its sides. Though this had cut down its speed, it was progressing satisfactorily to Lenin Land.

Late on May 16 the dirigible had left the bleak shores of Franz Josef Land and was heading across the Polar Sea to the little-known Lenin Land, otherwise known as Nicholas II Land.

Jubilation was prevalent at King's Bay on May 17, when radio messages from Nobile reported that he had sighted Cape Nicholas, at the tip of the mysterious Lenin Land, at 7 P. M. the night before; and that the craft had explored this territory until after midnight and then turned back on its

way to King's Bay. Nobile reached his base again on May 18, wearied by a sixty-eight-hour flight over almost uncharted Arctic wastes.

Though no formal report of the trip was given out, Nobile stated that fog had prevented him from observing any new land. Off Lenin Land some birds had been seen. Fog had prevented any observation of the poorly authenticated Gillis Land. [Nobile on May 21 declared he had found no trace of Gillis Land, and that he did not believe it existed.]

The second projected flight to the Pole, because of adverse winds, was not begun until 4:40 o'clock in the morning of May 23. With high hopes of reaching the North Pole for the second time, General Nobile took the air under favorable atmospheric conditions. He bore with him an oaken cross given him by the Pope to set up at the Pole. Various radio messages reported his progress toward the Pole.

On May 24 the joyous tidings came that Nobile had crossed over the North Pole for almost an hour early that day. Reaching the Pole, after a flight of 750 miles from King's Bay, at 1:20 A. M., the airship had circled near the Pole until 2 A. M. It had then headed south to Spitsbergen.

Later on the same day it was reported that Nobile had dropped at the Pole the Pope's cross and an Italian and Milanese flag. He had then sent three dramatic and historic messages, one to Premier Mussolini, a second to King Victor Emmanuel, and the third to the Pope.

On Friday, May 25, came the first inkling of disaster, when the radio calls of the Italia ceased, and the fate of the ship was swallowed up in mystery. By 2 A. M., May 26, when no news came it was feared that the ship had been forced down on the ice. A report of the receipt of a radio message to this effect was not confirmed. Strong winds were blowing to the east and west of Spitsbergen. The Città di Milano, Nobile's relief ship, planned to start North to search for the dirigible. The Italian Government and the Pope, as well as the entire world, waited tensely for further news. But no news came, until on May 27 the Oslo *Aftenposten* reported the receipt

of a dispatch from Vadsoe, Norway, saying that the Italia had called her base ship, using an improvised radio transmitter, at 10:05 P. M. the day before. The signals said the airship was in great danger, but gave no position, and added that the airmen were drifting along with the wind to save gasoline.

This was the last authentic news received from General Umberto Nobile and his gallant comrades until June 9. On June 6 Lieutenant Luetzow Holm, Norwegian aviator, sent out by Norway to search for the Italia, reported that he had flown a long distance in the Spitsbergen wilds without finding any trace of the missing airmen. The rescue ship Hobby had been equally unsuccessful. In Rome Premier Mussolini and the Pope voiced the grief of the whole Italian nation.

On June 9, however, the whole situation was changed by the receipt of radio messages from the Città di Milano, Nobile's base ship, saying that Nobile had reopened radio contact, reporting that the Italia had alighted on the ice of the Arctic Ocean, that the crew were all alive on pack ice 80.30 degrees north and 28 east, that they had divided into two [as later reported, three] parties, each of which was making independently a slow and perilous way to safety. The glad news electrified Italy and the whole world. Relief plans were being made when these pages went to press.

The crew of the Italia, sixteen in number, was made up as follows:

General Umberto Nobile, builder and Commander of the Italia.

Natale Cecioni, head mechanic, the senior mechanic of the Italian Air Force.

Sergeant Ettore Arduino, 38, mechanic.

Sergeant Attilio Caratti, 32, mechanic.

Vincenzo Pomella, 30, mechanic.

Fenn Malmgren, meteorologist, a Swede.

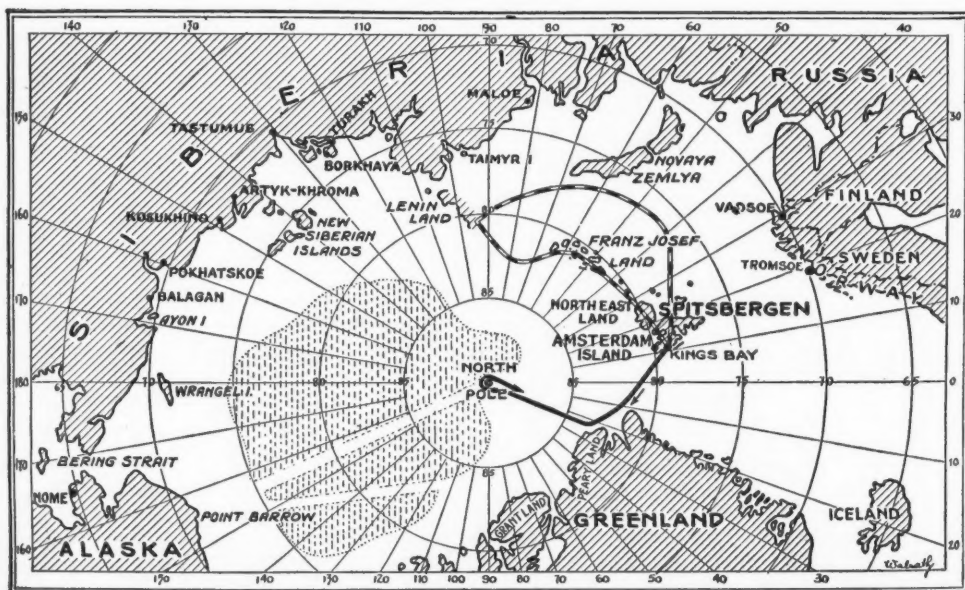
Alessandri, mechanic.

The nine others on the Italia were Mariano, Zappi, Triani, Viglieri, Pentremolo, Dehounek, Ciocca, Iago and the newspaper man, Lago. The first seven listed were among the crew of the Norge, Nobile's first dirigible, during its polar flight in 1926.

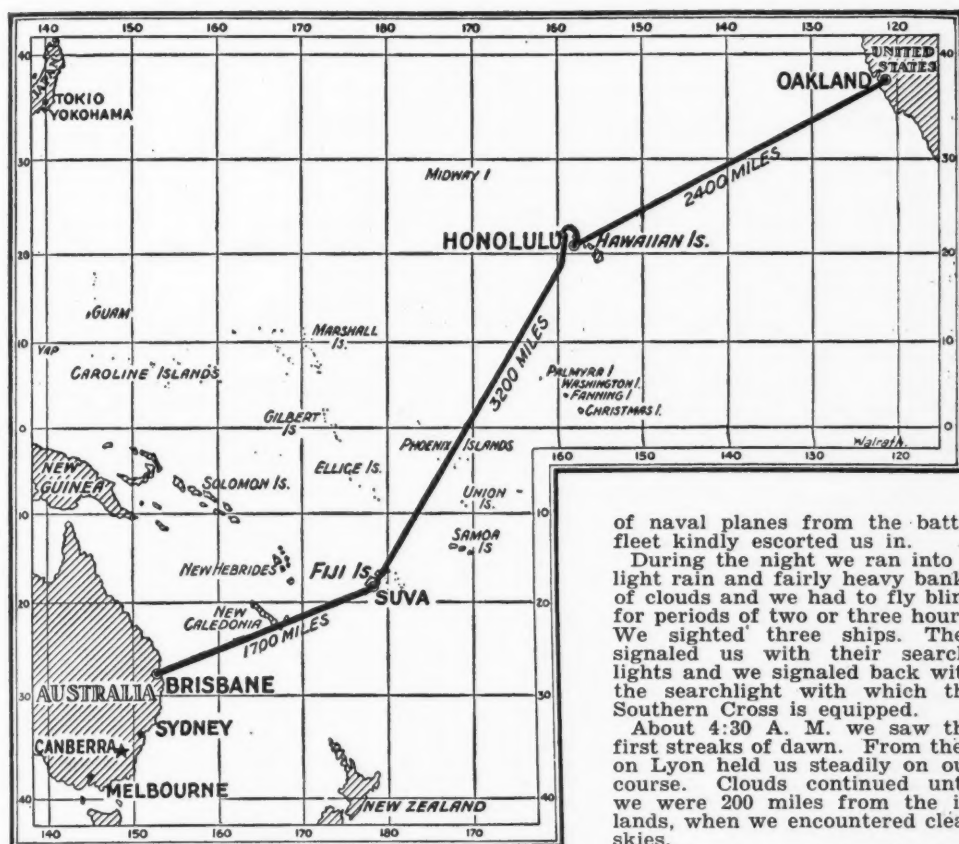
GREAT TRANSPACIFIC FLIGHT

One of the greatest transoceanic flights yet accomplished was that from the United States across the Pacific to Australia with only two stops on the way, namely, at Honolulu in the Hawaiian Islands, and at Suva in the Fiji Islands. The machine was the Southern Cross, a tri-motored Fokker monoplane, flown by Captain Charles J. Kingsford-Smith, commander and pilot; Captain Charles T. P. Ulm, relief pilot; Captain Harry W. Lyon, navigator, and James W. Warner, radio operator. Leaving Oakland, Cal., on May 31 at 8:51 A. M., Pacific Coast time (12:51 P. M., New York Daylight Saving Time), the Southern Cross arrived at Honolulu on June 1, 9:49 A. M., Hawaiian time (12:19, Pacific Coast time, 4:19, New York Daylight Saving Time).

The Southern Cross, a sister ship to that



Map of the North polar region showing the route of Nobile's flight in the dirigible Italia



Map showing route of the flight across the Pacific from the United States to Australia

used by Commander Byrd on his North Pole flight, was the fifth airplane to make the crossing from the Pacific Coast of the United States to the Hawaiian Islands. From the very first the long flight was made on almost perfect schedule, with radio reports from the fliers permitting the world to follow their journey of 2,400 miles. The flying time was 27 hours and 28 minutes.

The course of the flight was described by Captain Kingsford-Smith in part as follows:

Passing over the radio beacon at the Presidio at San Francisco, we set our course for Honolulu. The radio beacon functioned perfectly with the exception of one or two hour periods when we lost it. This made no difference, due to the wonderful navigating of Mr. Lyon, who brought us in directly on the Great Circle route to a point north of the Island of Maui.

Once we had picked up Mauna Kea, mountain island of Hawaii almost 14,000 feet above the sea level, from that point on to Wheeler Field it was easy, as a formation

of naval planes from the battle fleet kindly escorted us in.

During the night we ran into a light rain and fairly heavy banks of clouds and we had to fly blind for periods of two or three hours. We sighted three ships. They signaled us with their searchlights and we signaled back with the searchlight with which the Southern Cross is equipped.

About 4:30 A. M. we saw the first streaks of dawn. From then on Lyon held us steadily on our course. Clouds continued until we were 200 miles from the islands, when we encountered clear skies.

We found near Hawaii many banks of clouds which we mistook for land and consequently sent out messages to the effect that land had been sighted. These we as soon as we recognized our

corrected error.

After a thorough rest the aviators began preparations to continue the next stage of the flight to Australia, and on June 3, at 5:20 A. M., Honolulu time [11:50 A. M., New York time], they took off for Fiji.

The longest overseas flight ever made came to a triumphant finish, when the Southern Cross, on June 5, at 6:23 P. M., arrived at Suva, Fiji, after battling against the elements, failing fuel and motor trouble. This point marked the completion of nearly 5,600 miles of the total distance to be flown. Leaving Nasesai Beach, Fiji, on June 8, at 2:52 P. M., New Zealand time, the Southern Cross flew the 1,762 miles to Brisbane, Australia, in 21 hours 18 minutes. This ended the transoceanic flight, but on June 10 the Southern Cross again took the air and flew to Sydney, where a tremendous ovation was given the airmen on their arrival.

Outstanding Events Of The Month

By ALBERT BUSHNELL HART

PROFESSOR EMERITUS, HARVARD UNIVERSITY; CHAIRMAN, BOARD OF
CURRENT HISTORY ASSOCIATES

CONGRESS adjourned on May 29 in the midst of unusual legislative fireworks—hold-ups, roll-calls and filibusters in profusion in both houses. Nevertheless, about 250 bills were thrown upon the President in the last hours of the session. Senator Heflin raged at the enormous sums expended without his consent to secure the nomination of Governor Smith, and other Senators pointedly inquired who furnished the money for Senator Heflin's speeches in favor of the Ku Klux Klan.

During the session from December to May there was some genuine debate, and the measuring of forces for and against great enactments. Two of the three utility measures, Mississippi flood control and Muscle Shoals, floundered through Congress. The third bill for the Boulder Dam project failed of passage, but will automatically come up again at the next session. At the same time there was brought into relief the serious difficulty of carrying on parliamentary government without the personal responsibility and leadership of the heads of the executive such as is usual in modern Governments founded on the English pattern.

The month has been unusually full of non-political public questions. The country is going through a new phase in education, which manifests itself in various ways. One is the astonishing growth of high-class secondary education both for boys and girls. The expenditures for public high schools and junior colleges throughout the land are without precedent or parallel. The colleges begin to fear that they will be flooded with students, although the great State universities, with their prodigious enrollment, are apparently not in a position to exclude any young men and women who have average intelligence and willingness for their work. The taxpayer, whose likely boy or girl is ready for college, will not submit to any artificial selective intelligence tests. On the other hand, the great private universities which have undertaken to limit the number of admissions to the number that can be cared for in their dormitories and lecture halls and laboratories, have up to the present time somehow found room for almost every respectable candidate.

Side by side with the institutions of higher learning and the public high schools march the endowed and private academies. One of them, Phillips Andover Academy, recently celebrated its 150th anniversary, attended by thousands of alumni; and announced gifts of \$6,250,000 during the last three years. President Coolidge made an interesting and hopeful address upon the national dependence on effective secondary education.

Many influences are drawing the secondary and higher institutions together. Between Harvard and Yale a competitive test has been held through a series of examinations administered by professors from other colleges, the object being so far as may be to test the intellectual effect of the educational systems of two rival colleges.

An almost national system has been built up of competitive orations, essays and debates, some of them arranged on a basis intended to bring to the front national champions. It looks as if the competition of the rostrum and the desk is now entering the field of interscholastic and intercollegiate sports alongside the earlier contests on field and running track and stadium and river. The results are much more than a stimulus to do one's best; it is a nationalizing force which makes young people strive as the representatives of their fellows, and brings into relation boys and girls from all parts of the Union. This nationalizing influence, which makes for better understanding and diminishes narrow sectionalism, shares in the immense influence of the fraternities, the service clubs and the women's organizations in the same direction.

The oil scandals have for three years revealed a national disgrace, so flagrant, that John D. Rockefeller Jr., perhaps the largest owner of oil properties in the country, has openly protested against the corruption of some men and companies in his own line of business. The suits have not resulted in restoring to the rightful owners all the corporate property used for bribery and corruption and for fleecing the other group in the same business. It has, however, aroused public attention to these great abuses, and at the same time it has brought

out the courage, independence and legal acumen of the United States courts. Legislative inquiries have prepared the way. The public prosecutors have declared the cases, and the courts have in general ruled strictly and severely against the robbery.

Perhaps that is the reason why so little public attention has been directed toward the efforts to bring the Supreme Court of the United States into decisions in a variety of fields which make it the arbiter in serious questions of State and municipal government. The Supreme Court on May 20 interposed a stay in the application of a seven-cent. fare in certain of the subways in New York City. It thus postponed our expected decision by the Federal District court in New York City. This action also brings up the question of superior jurisdiction over the courts of the State whose charters and grants are the foundation of the controversy. The question of the right of Federal courts to interfere in disputes between employers and laborers, and between different unions and groups of laborers, has been raised by a bill introduced into Congress, limiting the power of courts to enjoin strikes.

A question of great significance, the ramifications of which have not as yet been examined, is that of propaganda carried on by powerful corporations to affect public sentiment with regard to their business. Everybody who has contact with the raising of funds, the circulation of petitions and the creation of public sentiment is aware of the modern scientific system of making people believe that they believe something. Whether it is a fund for blind children or the completion of a big church or the building of a public music hall, experts are brought in to compile lists of "prospects," suggest methods of dropping the project into the gaping mouths of the "prospects," engineer "spontaneous" meetings and organize competing collection teams.

It appears now that similar methods are used by corporations who furnish light, power, heat, electricity or radio to consumers. Nearly all the large municipalities in the country have provided themselves with public water works and reserved immense areas for the collection and storage of the

requisite water. When it comes to water power furnished by nature and of immense value to the community, a stream of argument has poured forth to the effect that public authorities cannot be trusted to administer such utilities for the public good.

The Federal Trade Commission at Washington has brought out the fact that an unofficial group of former proprietors has been secretly spending money and working overtime to spread this doctrine throughout the country. Pamphlets have been prepared and distributed; newspapers have been influenced, and a watch has been kept upon legislatures in which power bills might be introduced. Inasmuch as a consolidation of the sources of electrical power and a system of general distribution will soon become necessary, caution in granting public power sites is essential. The sources of power are subdivided by State boundaries, and that makes it difficult to maintain a system managed by municipalities or States in the face of strongly associated private corporations.

Crystallizing public sentiment also takes the form of very hurtful attempts to blacklist individuals, societies and lecture groups, particularly that made by the Daughters of the American Revolution, in association with a body called "The Advisory Council of the Key Men of America." Among the bad and dangerous people thus outlawed are President Faunce of Brown University; William Allen White of Kansas; the National Catholic Welfare Council; the American Association of University Women; the Federal Churches of Christ in America; the National Association for Child Development and also such individuals as W. E. B. DuBois, Felix Frankfurter, Dudley Field Malone and George W. Coleman. All this sounds like the denunciations of royalists in the French Revolution. Fortunately, though the Daughters of the American Revolution may accuse, they are without legal jurisdiction to convict and punish. Likewise, they are without either power or authority to take away the good names of men and women of unblemished lives and reputations who do not agree with a particular private committee on questions of public policy.



Great Britain's Attitude on Kellogg Treaty

By JAMES THAYER GEROULD

LIBRARIAN, PRINCETON UNIVERSITY; CURRENT HISTORY ASSOCIATE

THE problem of peace will not find itself suddenly and totally solved by the treaty proposed," said a writer in *Le Temps* the other day, "but let us hope that it will create a more favorable atmosphere, seeing that the United States will find itself associated in work undertaken by other Powers in the framework of the League of Nations." This statement is fairly representative of European opinion regarding Mr. Kellogg's proposed treaty renouncing the custom of war. They do not anticipate the Millennium, but they do hope for our cooperation. War-racked Europe is ready to clutch at any straw that makes a recurrence of a general conflict less likely. It accepted the Covenant, although at the time it had little confidence that the League would be of great service; but, as the years have passed and the League's organization has been developed, Europe has come to rely on it as the foundation of its interrelations, and is unanimous that nothing shall be allowed to weaken its potentialities. There are, however, two different schools of thought regarding the purpose of the League, and if one keeps them clearly in mind it is easier to understand the attitude of the European nations toward the new treaty. Great Britain, Germany and many of the smaller Powers view the League primarily as an instrument for keeping the peace. France, Poland and the other nations that have profited by the Treaty of Versailles see it as a means of maintaining the status quo. They identify the "security" which they are striving to attain within and without its structure, with the security and integral observance of the treaties. Hence their anxiety lest the new treaty shall be so construed as to modify the obligations that the Powers have assumed and the fabric of treaties that has extended them. Rather than run any risk that they shall be weakened, they prefer that the treaty shall fail. There is a growing body of French opinion which is losing confidence in the possibility, perhaps in the desirability, of the maintenance of this view, but at present it is powerless.

No clear-sighted person can fail to recognize that Europe is today in a state of unstable equilibrium. Italy and Hungary, in

particular, unite in asserting that the present territorial arrangements are unjust, and the virtual alliance of these two Powers is full of danger—a fact strongly emphasized by Mussolini's speech in the Italian Senate on June 5, when he openly championed revision of the peace treaties and expressed officially his sympathy with Hungary's position under the Treaty of Trianon. The interests of Great Britain which centre about Suez are none too well guarded. The dispute between Poland and Lithuania has highly explosive possibilities, as indicated by Sir Austen Chamberlain's statement to the journalists in Geneva on June 5, when he bitterly denounced Lithuania for proclaiming Vilna as its capital "an act of ill-will and provocation." In the background stands Russia, potentially if not actually, a menace. All this Europe fully recognizes; and it is for this reason that it desires to add the new treaty to the older guarantees as an additional anchor to windward. But if, by any turn of phrase, they can adjust it more closely to their own particular interests, that phrase they will attempt to secure. It by no means follows that, because Mr. Kellogg's suggestion has been accepted "in principle," the remaining negotiations will be easy or rapid. Thus far we have had the graceful gestures of diplomatic courtesy, but there is still grave danger that the effectiveness of the treaty may be wrecked on the rocks of exceptions and reservations.

Sir Austen Chamberlain's reply to Mr. Kellogg's proposal was addressed to Ambassador Houghton under date of May 18. It was a masterpiece of diplomatic writing. It has been given two different interpretations in England, another in France, and a fourth in our own press. There is no doubt that it is a sincere attempt to find a common ground between the American and the French positions. If the treaty is to be approved, it is imperative that this should be done. A careful reading of the text which follows is necessary if one is to understand all its implications:

Your Excellency:

Your note of April 13, containing the text of a draft treaty for renunciation of war,

together with copies of correspondence between the United States and the French Governments on the subject of this treaty, has been receiving sympathetic consideration at the hands of his Majesty's Government in Great Britain. A note has also been received from the French Government, containing certain suggestions for discussion in connection with the proposed treaty; and the German Government were good enough to send me a copy of a reply which had been made by them to the proposals of the United States Government.

2. The suggestion for the conclusion of a treaty for renunciation of war as an instrument of national policy has evoked widespread interest in this country and his Majesty's Government will support the movement to the utmost of their power.

3. After making a careful study of the text contained in your Excellency's note and of the amended text suggested in the French note, his Majesty's Government feel convinced that there is no serious divergence between the effect of these two drafts. This impression is confirmed by a study of the text of the speech by the Secretary of State of the United States to which your Excellency drew my attention and which he delivered before the American Society of International Law on April 28.

The aim of the United States Government, as I understand it, is to embody in a treaty a broad statement of principle to proclaim without restriction or qualification that war shall not be used as an instrument of policy. With this aim his Majesty's Government are wholly in accord.

The French proposals equally imbued with the same purpose have merely added an indication of certain exceptional circumstances in which the violation of that principle by one party may oblige the others to take action, seeming at first sight to be inconsistent with the terms of the proposed pact.

His Majesty's Government appreciate the scruples which have prompted these suggestions by the French Government. The exact fulfillment of treaty engagements is a matter which affects national honor; precision as to the scope of such engagements is therefore of importance. Each of the suggestions made by the French Government has been carefully considered from this point of view.

4. After studying the wording of Article 1 of the United States draft his Majesty's Government do not think its terms exclude action which a State may be forced to take in self-defense. Mr. Kellogg has made it clear in the speech to which I have referred above that he regards the right of self-defense as inalienable and his Majesty's Government are disposed to think that on this question no addition to the text is necessary.

5. As regards the text of Article 2 no appreciable difference is found between the American and the French proposals. His Majesty's Government are, therefore, content to accept the former if, as they understand to be the case, a dispute "among the high contracting parties" is a phrase wide enough to cover a dispute between any two of them.

6. The French note suggests the addition

of an article providing that violation of the treaty by one of the parties should release the remainder from their obligations under the treaty toward that party. His Majesty's Government are not satisfied that if the treaty stood alone the addition of some such provision would not be necessary. Mr. Kellogg's speech, however, shows that he put forward for acceptance the text of the proposed treaty upon the understanding that violation of the undertaking by one party would free the remaining parties from the obligation of observing its terms in respect of the treaty-breaking State.

7. If it is agreed that this is the principle which will apply in the case of this particular treaty, his Majesty's Government are satisfied and will not ask for the insertion of an amendment. Means can no doubt be found without difficulty of placing this understanding on record in some appropriate manner so that it may have equal value with the terms of the treaty itself.

8. The point is one of importance because of its bearing on the treaty engagements by which his Majesty's Government are already bound. The preservation of peace has been the chief concern of his Majesty's Government and the prime object of all their endeavors. It is the reason why they have given ungrudging support to the League of Nations, and why they have undertaken the burden of guarantee embodied in the Locarno Treaty. The sole object of all these engagements is the elimination of war as an instrument of national policy just as it is the purpose of the peace pact now proposed. It is because the object of both is the same that there is no real antagonism between



THE UNIVERSAL LANGUAGE
—Cleveland Plain Dealer



The trouble with Volunteer fire departments
—Hutchinson (Kan.) News

the treaty engagements which his Majesty's Government have already accepted and the pact which is now proposed.

The machinery of the Covenant and of the Treaty of Locarno, however, go somewhat further than a renunciation of war as a policy in that they provide certain sanctions for a breach of their obligations. A clash might thus conceivably arise between existing treaties and the proposed pact, unless it is understood the obligations of the new engagement will cease to operate in respect of a party which breaks its pledges and adopts hostile measures against one of its co-contractants.

9. For the Government of this country, respect for the obligations arising out of the Covenant of the League of Nations and out of the Locarno treaties is fundamental. Our position in this regard is identical with that of the German Government as indicated in their note of the 27th of April.

His Majesty's Government could not agree to any new treaty which would weaken or undermine these engagements on which the peace of Europe rests. Indeed, public interest in this country in scrupulous fulfillment of these engagements is so great that his Majesty's Government would for their part prefer to see some such provision as Article 4 of the French draft embodied in the text of the treaty. To this we understand there will be no objection.

Mr. Kellogg has made it clear in the speech to which I have drawn attention that he had no intention by the terms of the new treaty of preventing parties to the Covenant of the League or to the Locarno Treaty from fulfilling their obligations.

10. The language of Article 1 as to the renunciation of war as an instrument of national policy renders it desirable that I should remind your Excellency that there are certain regions of the world the welfare

and integrity of which constitute a special and vital interest for our peace and safety.

His Majesty's Government have been at pains to make it clear in the past that interference with these regions cannot be suffered. Their protection against attack is to the British Empire a measure of self-defense. It must be clearly understood that his Majesty's Government in Great Britain accept the new treaty upon the distinct understanding that it does not prejudice their freedom of action in this respect. The Government of the United States has comparable interests, any disregard of which by a foreign Power they have declared that they would regard as an unfriendly act. His Majesty's Government believe, therefore, that in defining their position they are expressing the intention and meaning of the United States Government.

11. As regards the measure of participation in the new treaty before it would come into force, his Majesty's Government agree that it is not necessary to wait until all the nations of the world have signified their willingness to become parties. On the other hand, it would be embarrassing if certain States in Europe with whom the proposed participants are already in close treaty relations were not included among the parties.

His Majesty's Government see no reason, however, to doubt that these States will gladly accept its terms. Universality would in any case be difficult of attainment and



FINE WORDS

[The American note concerning the outlawry of war delivered to Germany]

"I am very pleased to hear the news, but—"

—Kladderatsch, Berlin

might even be inconvenient, for there are some States whose Governments have not yet been universally recognized and some which are scarcely in a position to insure the maintenance of good order and security within their territories.

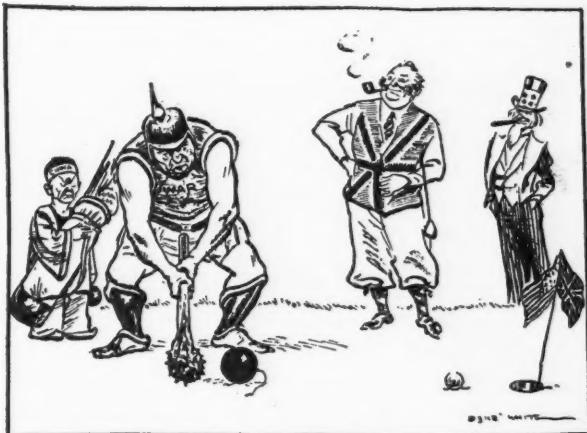
The conditions for the inclusion of such States among the parties to the new treaty is a question to which further attention may perhaps be devoted with advantage. It is, however, a minor question as compared with the attainment of the more important purpose in view.

12. After this examination of the terms of the proposed treaty and of the points to which it gives rise, your Excellency will realize that his Majesty's Government find nothing in their existing commitments which prevents their hearty cooperation in this new movement for strengthening the foundations of peace. They will gladly cooperate in the conclusion of such a pact as is proposed and are ready to engage with the interested Governments in the negotiations which are necessary for the purpose.

13. Your Excellency will observe that the detailed arguments in the foregoing paragraphs are expressed on behalf of his Majesty's Government in Great Britain. It will, however, be appreciated that the proposed treaty from its very nature is not one which concerns his Majesty's Government in Great Britain alone, but is one in which they could not undertake to participate otherwise than jointly and simultaneously with his Majesty's Government in the Dominions and the Government of India. They have, therefore, been in communication with those Governments, and I am happy to be able to inform your Excellency that as a result of the communications which have passed, it has been ascertained that they are all in cordial agreement with the general principle of the proposed treaty.

I feel confident, therefore, that on the receipt of the invitation to participate in the conclusion of such a treaty they, no less than his Majesty's Government in Great Britain, will be prepared to accept the invitation.

The Department of State and our press generally have interpreted this note as an acceptance of our position; the French, with equal unanimity, as supporting their reservations. Rather gleefully they affect to believe that the remaining negotiations will be largely a contest between the British and American points of view, rather than between those of France and the United States. The British Parliament and press are divided in their opinion. There is uncertainty everywhere as to the exact meaning of Paragraph 10, and in particular as to the location of "certain regions." Lord Cecil,



STYMIED!

[Approval of the American proposal to outlaw war has been expressed by Sir Austen Chamberlain]
—Sunday Mail, Glasgow, Scotland

in a debate in the House of Lords on May 23, expressly asked for a definition, but Lord Cushendun declined to satisfy him. Liberal and Labor opinion deprecates the attempt to establish by this means an Eastern "Monroe doctrine." If exceptions of this sort are to be made, the American doctrine must be included; and there would be no ground on which to object to similar reservations attached by France or Italy or Japan. A series such as this, covering a large share of the regions where trouble is likely to arise, would reduce the treaty to a farce. To emphasize this fact, the critics of the Government are pressing sharply for an answer to Lord Cecil's question. Is Egypt alone intended, they inquire, or do "certain regions" include Abyssinia and Persia and Afghanistan?

In his discussion of the universality of the proposed treaty, Sir Austen has raised an important question. "Universality would in any case be difficult of attainment, and might even be inconvenient, for there are certain States whose Governments have not yet been universally recognized." The reference is, of course, to Russia. It is obvious that neither Great Britain nor the United States can conclude a treaty with a Government the legal existence of which they deny. On the other hand, the Continental nations, more nearly affected by possible Russian attack, are very anxious both to secure the additional insurance against it and to obtain the backing of Great Britain and the United States should war break out. A treaty to which Russia is not a party will



THE FALLEN STAR
—London Daily Chronicle

be very much less valuable than one which includes her among the signers. They are annoyed, as well as amused, at the lofty morality which makes it "inconvenient" for Britain and the United States to give them the additional protection which they need, particularly as it is understood that Russia would probably be willing to sign the treaty. Quite pertinently they inquire why, if Russia can be invited to meet them in an attempt to draft a disarmament treaty, she may not be included in a treaty which will make disarmament much more easy.

Following on Sir Austen's assurance that the Governments of the Dominions and of India had been consulted, and that they were ready to accept a partnership in the treaty, Secretary Kellogg, on May 21, instructed the American Ministers at Ottawa and Dublin, and the Ambassador at London, to invite the "Dominion Governments and the Government of India to become original parties to the multilateral treaty." Favorable replies from Ireland and New Zealand were received on May 31, from Canada on June 1, and from Australia on June 2. Mr. Mackenzie King, who signs the Canadian reply, introduces an interesting argument regarding the possibility of conflict between the Covenant and the treaty:

It is, however, convinced that there is no conflict either in the letter or in the spirit between the Covenant and the multilateral pact, or between the obligations assumed under each. The pre-eminent value of the League lies in its positive and preventive action. In bringing together periodi-

cally the representatives of fifty States, it builds up barriers against war by developing a spirit of conciliation, an acceptance of publicity in international affairs, a habit of cooperation in common ends, and a permanently available machinery for the adjustment of differences.

It is true that the Covenant also contemplates the application of sanctions in the event of a member State going to war, if in so doing it has broken the pledges of the Covenant to seek a peaceful solution of disputes. Canada has always opposed any interpretation of the Covenant which would involve the application of these sanctions automatically or by the decision of other States.

It was on the initiative of Canada that the Fourth Assembly with a single negative vote, accepted the interpretative resolution to which the Secretary of State of the United States recently referred indicating that it is for the constitutional au-

thorities of each State to determine in what degree it is bound to assure the execution of the obligations of this article by employment of its military forces.

The question of sanctions has received further consideration by later Assemblies. It is plain that the full realization of the ideal of joint economic or military pressure upon an outlaw Power, upon which some of the founders of the League set great store, will require either an approach to the universality of the League contemplated when the Covenant was being drawn, or an adjustment of the old rules of neutrality to meet the new conditions of cooperative defense.

In any event, if, as would seem to be the case, the proposed multilateral treaty does not impose any obligation upon a signatory in relation to a State which has not signed the treaty or has broken it, any decision taken to apply sanction against a member



President Coolidge: "Gentlemen, war is a terrible thing."
—London Daily Express

of the League which has made war in violation of its Covenant pledges would not appear to conflict with the obligations of the treaty.

Of the States originally addressed, Japan was the last to reply. The note was signed Baron Glich Tanaka and delivered to Ambassador MacVeagh on May 26. The note reads as follows:

I beg to inform your Excellency that the Government of Japan sympathizes warmly with the high and beneficent aims of the proposal now made by the United States, which they take to imply the entire abolition of the institution of war, and that they will be glad to render their most cordial cooperation toward the attainment of that end.

The proposal of the United States is understood to contain nothing that would refuse to independent States the right of self-defense, and nothing which is incompatible with the obligations of agreements guaranteeing the public peace, such as are embodied in the Covenant of the League of Nations and the treaties of Locarno.

Accordingly, the Imperial Government firmly believes that unanimous agreement on a mutually acceptable text for such a treaty as is contemplated is well capable of realization by discussion between the six Powers referred to, and they would be happy to collaborate with cordial good-will in the discussions, with the purpose of securing what they are persuaded is the common desire of all the peoples of the world—namely, the cessation of wars and the definite establishment among the nations of an era of permanent and universal peace.

The fiftieth session of the Council of the League of Nations opened on June 4.

The first contentious matter that arose was the Albanian Government's complaint on June 5 concerning the expropriation of Albanian property and the situation of the Albanian minority in Greece. The Greek delegate declared that the complaint should be neither received nor admitted and that it was impossible to apply the articles of the League covenant to the case. After some angry exchanges between the Albanian and Greek delegates, the question was postponed. Various other longstanding questions were reported upon before the Council concluded its labors for the day.

Then, after the sitting was over, Sir Austen Chamberlain, the British Foreign Secretary, caused a sensation by a statement in which he remarked that, despite the League's action of last December, there has been little progress in the matter of better relations between Poland and Lithuania and insisted that he could not help being disturbed over the publication of the Lithuanian Constitution, with its clause

naming Vilna as its capital. "Sympathy, naturally, goes to weaker nations," he said, "but if a small and weaker nation goes out of its way to take irritating and provocative action against a more powerful one, or shows itself unreasonable, obstinate and uncompromising, it will deprive itself of the sympathy of its neighbors."

In the Council next day (June 6) Chamberlain and Paul-Boncour criticized the Lithuanian Government. Both declared they were "deeply grieved" that apparently nothing had been done in the six months which have elapsed since Premier Voldemaras and Marshal Pilsudski appeared before the Council, shook hands and ordered peace *te deums* to be sung. Both statesmen again pictured the dangers to the peace of all Europe if a conflict arose in that section of it, and they appealed to the Lithuanian Premier's "sense of patriotic duty." But at the close of the afternoon session Voldemaras seemed quite uncrushed and entirely content with his own position. His final statement was to the effect that "the Council has a right to be advised of the progress of the negotiations, but the Council has no right to conduct these negotiations." In other words he agreed with the only member of the Council who in any way sided with him—von Schubert of Germany—that inasmuch as the trouble between Poland and Lithuania had brewed for a long time, six months was too short a period in which to dissipate it. At the end of the public session the Council held a private sitting to decide whether it should propose a resolution calling Lithuania to immediate account or give her another three months' grace. A resolution was finally adopted granting the extension of time.

The Council of the League of Nations on June 7 administered a dignified rebuke to Hungary for allowing contraband arms to pass through its territory.

The settlement of the boundary dispute between Rumania and Hungary, which has been scheduled for League discussion for the last five years, was again tabled by the League on June 8. The report of the Council, submitted by Sir Austen Chamberlain merely suggested that the two countries involved try to settle the matter once and for all by following the original recommendation made by the League to make reciprocal concessions.

On June 9 the Council adjourned. All controversial matters were disposed of by tabling. The Kellogg peace plan did not come up for discussion.

The League of Nations Month by Month

By ARTHUR SWEETSER

THE first meeting of the Economic Consultative Committee which is, in effect a sort of world economic general staff; a widely representative meeting of the Health Committee embracing all continents; the appeal to the League of the Chinese Nationalists; the opening of radio telephonic communications between Geneva and almost all the rest of the world, and steps for the election of a successor to succeed Judge John Bassett Moore on the Permanent Court of International Justice and for the fiftieth session of the Council and the ninth session of the Assembly on Sept. 3 were the outstanding events during the month of May for the League of Nations.

The Economic Consultative Committee—Most important of the recent new activities of the League was the meeting of the Economic Consultative Committee, which is in itself an expression of the fact that, however divided the world is politically, it is a unit economically. This Committee, which is the outgrowth of last Spring's economic conference, aims to include fifty to sixty of the foremost economic authorities in the world, representing all main branches of interest, whether capital, labor, consumer, producer or agriculturalist. Its task is to survey, once a year, the drift and tendency of world economic life, with a free hand to turn its attention wherever it feels desirable. It is a body of review and of initiative, a sort of general staff to survey the field, find the weak spots, lay out broad policies of remedy, but not itself to seek to execute. For that purpose it has at its disposal either special *ad hoc* conferences or the smaller and more technical Economic Committee of the League. To do its work properly, its members have no power to commit their Governments but are rather free individuals, who, nevertheless, possess the confidence of their Governments.

Though the present meeting was but the first, the system from which it sprang may safely be considered as one of the new and permanent changes in international life effected by the closer knitting together of the world and the coordinating influence of the League. In other words, the nations are now so economically interdependent that they feel the necessity for a permanent organization to meet annually to see the picture of world economic life as a whole

rather than from any one viewpoint. How necessary this is is shown by information already brought out in the League's different committees.

The economic work of the League is not limited either to Europe or to States members of the League. Its scope is as worldwide as the issues themselves and its participants chosen irrespective of attitude to the League. The United States, for instance, had Congressional authority to send a delegation to the Economic Conference last Spring; sent another delegation to, and signed the convention emanating from, the Import and Exports Restrictions Conference, and has taken part in other less formal and more preparatory committees. At this session, though not of Government representatives, several Americans were selected to participate in the work; on the committee itself, Professor Allyn A. Young of Harvard and Alonzo E. Taylor of Stanford; on the delegation of the International Chamber of Commerce, Roland W. Boyden; for the International Scientific Agricultural Committee, Asher Hobson, and for the International Institute of Scientific Management, Professor Willits of Pennsylvania.

The Economic Consultative Committee, in the course of a week, reviewed the economic situation of the world since the conference last Spring and made suggestions for the future. Progress has been made, especially in the Franco-German Commercial Treaty and similar agreements in Eastern Europe, but by no means as rapidly as desirable and possible. "The improvement in general conditions," says the report about Europe, "is certainly greater than in any year since the war," but, perhaps warningly, "on the other hand, in the United States, the level of economic activity was not more than maintained." The committee then comes to a series of recommendations: removal of restrictions on trading, reduction of tariffs, either by bilateral treaty or by collective agreement on specific articles, full equality for foreigners engaged in commerce, development of rationalization, study of the effects of cartels, special inquiry into the international position of coal and sugar, fuller information and better cooperation for agriculture, study and removal of those economic difficulties likely to disturb the peace of the world, and inquiry

into the purchasing power of gold. On all these headings detailed suggestions were made and means of action suggested, so that a program of work is laid out which it will take years to fulfill.

The Health Committee—Most important of all recent meetings of the Health Committee was the session from April 30 to May 5, when not only were all the continents of the world represented but work was laid out affecting each of them. Thus, entirely apart from the problems of Europe, Latin-American interests were affected by the leprosy investigation which is authorized to take place in Brazil through courtesy of a Brazilian philanthropist; Africa, by Belgium's request for cooperation between Belgium, Great Britain, France and Portugal for the control of yellow fever, and the Far East by an inquiry into the value of quarantine procedure in the various ports and the development of the Singapore base for epilemiological intelligence which is now in weekly communication with 170 harbors. Here, also the United States took considerable part, for Surgeon General Cumming is a member of the committee, reported on rural hygiene, was named to the leprosy committee and invited to the United States members of two subcommittees on the fumigation of ships, which is far advanced there, and the standardization of biological products, such as sera, which is being undertaken in a worldwide chain of which the Hygienic Laboratory in Washington forms a part. Moreover, Dr. C. E. A. Winslow of Yale was present as an assessor and the International Health Board of the Rockefeller Foundation, which is present in the background, as always, in the generous provision of special funds.

Nationalist China's Appeal—On May 14, at the time of the Tsinan-Fu troubles between Japanese troops and various Chinese elements, a telegraphic protest was received by the Secretary General of the League from Tan Yen-kai, Chairman of the Nationalist Government at Nanking, summarizing his version of the incidents and requesting an immediate meeting of the Council of the League. Had South China had a Government recognized *de jure* by the nations and forming as such a part of the League, the request would, of course, have fallen within the Covenant and been automatically complied with, but the situation is necessarily different with a Government which is not recognized *de jure* and which is not a member of the League. In these circum-

stances involving all the complications of the legal status of a revolutionary Government, it was felt that the best course, given the gravity of the situation, was to telegraph the text of the Chinese communication to all members of the Council who themselves would and ought to have the responsibility for decision on a matter outside the legal forms. In due course Japan forwarded to the League a direct and detailed response of eleven pages, taking up each of the Chinese allegations in turn. Thus this very important affair has been brought before the members of the Council—and the press—by both parties; whether further discussion or action will take place must depend on the desires of the nations themselves and on the circumstances on the spot.

Radiotelephonic Communication With Overseas Countries—Dramatic indeed was the opening of telephonic communications between Geneva and practically all the rest of the world. In a small, back room of the Secretariat, with the windows closed in and the walls heavily carpeted, a small group of people, not over a dozen, stood before a small table containing a microphone. At a given moment, a series of officials, one after the other, in Dutch as the language of the sending station, in French and English as the languages of the League, and in Japanese as a Far Eastern tongue, read messages which were to go by telephone across Switzerland and Germany to Holland and thence outward from the Kootwijk station to practically all parts of the world. How far the messages were heard will not be known for some time, though the Bandoeng station in Java, 12,000 miles away, was heard to tell Kootwijk that they had picked up the messages in good shape. These technical improvements to an organization such as the League mean that in an instant's time the furthestmost corners of the earth can be placed in telephonic touch with Geneva. Assembly and Council debates will soon be broadcast, not only, as now, to Europe, but to overseas countries as well; information, circular letters and telegrams, can be sent out; even war may be averted, as shown in the recent Greek-Bulgar crisis when the official telegram from the League arrived less than two hours before the order to march, already given, was to become operative. These tests, therefore, are not merely technical; they enter deep into the warp and woof of international life.

Geneva, May 28, 1928.

The Close of the Seventieth Congress

By WILLIAM MacDONALD

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CURRENT HISTORY ASSOCIATE

THE Seventieth Congress ended its first session on May 29, having passed 923 bills or resolutions out of 19,770 measures introduced in one or the other of the two houses. The last two days of the session were marked by a prolonged filibuster in the Senate, involving an all-night sitting, over the Boulder Canyon Dam bill, in the course of which the proceedings became so disorderly than an executive, or secret, session was voted as a means of allaying the excitement brought on by partisan heat and strained nerves. For some two weeks before adjournment, however, political feeling in both Houses had been kept at high pressure by the effort to complete certain important items of legislation, and by continued evidences of marked differences of opinion between Congress and the President regarding some crucial parts of the legislative program.

The Flood Control bill, altered to meet some of the objections urged by Mr. Coolidge, but still devolving far the larger part of the cost of flood control work upon the Federal Treasury, was approved by the President on May 15. The actual financial outlay involved in the undertaking is unknown, but the minimum cost is believed to be at least \$325,000,000. An initial appropriation of \$14,000,000 was provided by a deficiency bill passed just before Congress adjourned.

On May 18 Mr. Coolidge startled Congress by vetoing eight bills, thereby bringing to twelve the number of measures from which, since the beginning of the session, Presidential approval had been withheld. Included in the eight bills were: one increasing by 10 per cent. the pay of postal employees assigned to night work; another granting allowances to fourth-class postmasters for rent, fuel, light and other general expenses; another appropriating funds for roads in Indian reservations and the public domain in certain Western States; another authorizing certain Indians in the State of Washington to file claims against the United States in the Court of Claims, and another providing for the coordination

of Federal public health services and the creation of a nurses' corps.

The veto of the bill increasing the pay of postal employees on night work was based on the ground that the employees in question had already benefited, as Mr. Coolidge understood, by the general increase in postal pay authorized in 1926; while that of the bill making certain allowances to fourth-class postmasters pointed out that such postmasters usually conducted their postal work in connection with their other business, that their overhead expenses, accordingly, were not greatly added to by the Government service, and that their compensation was already sufficient.

The House of Representatives, without debate, overrode the vetoes of the two postal bills on May 22 by votes of 319 to 42 and 319 to 46, respectively, thereby administering a legislative defeat to Mr. Coolidge for the first time since the Soldiers' Bonus bill was passed over the veto by the previous Congress. The same day Mr. Coolidge sent in vetoes of two more bills, one increasing the pay of certain retired army officers who served in the World War, the other creating the rank of bandmaster in the army. The principal objection to the first of these measures was that, in addition to nearly doubling the pay of the officers affected, it would discriminate unfairly against enlisted men.

On May 23, before the Senate had had time to act upon any of these vetoes, the expected veto of the McNary-Haugen Farm Relief bill was received. The message was unique among Presidential documents, not only for the elaborate dissection to which the bill was submitted, but also for the vigorous language in which its provisions were denounced. "Prejudicial to sound public policy and to agriculture," "unconstitutional," "a formidable array of perils for agriculture," "vicious devices," "a fantastic promise of unworkable Governmental price regulation," "bureaucracy gone mad," "intolerable espionage," "a maze of ponderously futile bureaucratic paraphernalia," were among the many

strong expressions which Mr. Coolidge applied to the bill.

The "major weaknesses and perils" of the bill to which Mr. Coolidge particularly called attention were summarized under six heads: "(1) its attempted price-fixing fallacy; (2) the tax characteristics of the equalization fee; (3) the widespread bureaucracy which it would set up; (4) its encouragement to profiteering and wasteful distribution by middlemen; (5) its stimulation of overproduction; (6) its aid to our foreign agricultural competitors." The bill, it was further declared, was not at all an embodiment of the plan which Mr. Coolidge had recommended. "I have believed at all times," Mr. Coolidge said, "that the only sound basis for further Federal Government action in behalf of agriculture would be to encourage its adequate organization to assist in building up marketing agencies and facilitate in the control of the farmers themselves. I want to see them undertake, under their own management, the marketing of their products under such conditions as will enable them to bring about greater stability in prices and less waste in marketing, but entirely within unalterable economic laws. Such a program, supported by a strong protective tariff on farm products, is the best method of effecting a permanent cure of existing agricultural ills."

Accompanying the veto message was an elaborate opinion by Attorney General Sargent condemning the bill on Constitutional grounds. "I feel bound to advise you," Mr. Sargent wrote in conclusion, "that the act in question, if approved, would violate the Constitution of the United States, in that legislation having for its main purpose the control of the prices of food in the interest of the producer is not authorized by the Constitution; in that if Congress possessed the power to do things attempted by this act it could not delegate it, as it is legislative in character; in that it vests in those not officers or agents of the United States the power and duty of participating in appointments to fill places in the service of the United States; in that it contravenes the provisions of the Constitution against the taking of property without due process of law." The third of these specifications referred to the portion of the act which provides that the Federal Farm Board created by the act "shall create an advisory council of seven members, selected annually only from lists submitted by the cooperative associations and other representative organizations and the Gov-

ernors and heads of agricultural departments of States where the commodity is produced."

The immediate effect of the veto in Congress was an outburst of resentment against Mr. Coolidge, in the course of which party lines were for the moment submerged. The two postal bills whose vetoes were overridden by the House on May 22 were passed over the veto by the Senate on May 24 by votes of 70 to 9 and 63 to 17, and the veto of the bill increasing the pay of retired army officers was similarly treated, the vote in the Senate being 66 to 14 and in the House 245 to 101. The Senate also rejected, by a vote of 57 to 22, the veto of the bill appropriating money for roads in certain States, but in this action the House did not concur. The real test, however, came on May 25, when an attempt to pass the McNary-Haugen bill over the veto failed in the Senate, the vote of 50 to 31 being less than the two-thirds majority required by the Constitution.

While the controversy over the vetoes was going on, other important measures were being pressed to final passage. The Jones-White Merchant Marine bill, appropriating \$250,000,000 as a loan fund to aid shipbuilding and long-term mail contracts, was approved on May 23. The adoption by the Senate, on May 25, of a conference report on the Muscle Shoals project ended a twenty-four hour filibuster against that measure, and the bill was sent to the President with the provision for the manufacture of fertilizers for sale, to which he had objected, eliminated. On the same day the houses reached agreements, through conference committees, regarding the deficiency appropriation bill and bills providing salary increases for certain Government employees and establishing reduced postal rates. The salary bill, applying to some 135,000 employees in the classified service, was signed by the President on May 28.

The filibuster in the Senate over the Boulder Canyon Dam bill, which kept the Senate in continuous session from 11 A. M. on May 28 to 5:30 P. M. on May 29, was induced by the stubborn efforts of Senator Johnson of California to force a vote on the bill, and the equally stubborn effort of Senator Bruce of Maryland to prevent a vote. In the course of the filibuster a motion to fix a definite hour for adjournment was defeated by the casting vote of Vice President Dawes, who voted against the Republican leaders when the vote tied at 40 to 40. The filibuster was successful in preventing a vote on the bill, thereby deferring



They always give him a thrill
—New York Herald-Tribune

further action until the next session, when the bill will come up as unfinished business.

Another bill which successfully ran the legislative gauntlet provided for an extension of the Government barge service on the Mississippi River and its tributaries, and authorized the War Department to investigate the practicability of establishing a similar service on the inland water route along the Atlantic Coast between Boston and Beaufort, N. C.

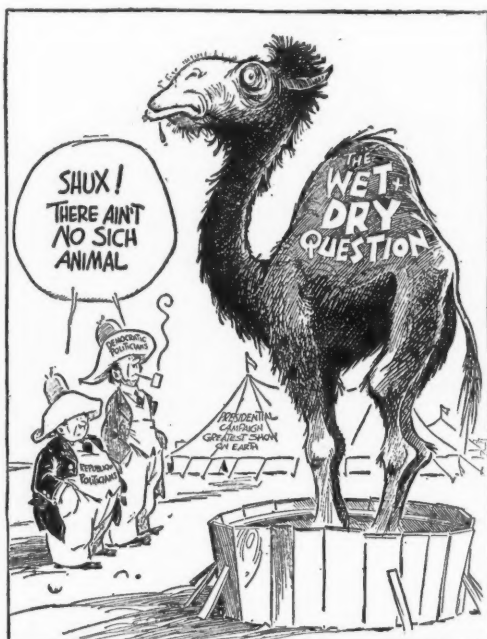
The revenue or tax reduction bill, agreed upon by the Senate on May 25 and by the House on the following day, provides for a total tax reduction estimated at \$222,495,000, or about \$22,000,000 more than the amount which the Administration had indicated as acceptable in view of the probable revenue receipts of the next fiscal year. The principal changes, most of them representing a compromise between the proposals of the Senate and those of the House, are the reduction of the corporation tax from 13½ per cent. to 12 per cent., the repeal of the 3 per cent. tax on automobiles in the hands of manufacturers, increased exemptions on theatre tickets from 75 cents to \$3 and on club dues from \$10 to \$25, the levy of a tax of 25 per cent. on prize fight admissions of \$5 or over, and an increase from \$20,000 to \$30,000 of the amount of

"earned income" which benefits by a credit reduction of 25 per cent. The bill was approved by President Coolidge in the early morning of May 29 in order, it was said, to insure the immediate application of the automobile tax repeal.

Sixteen joint resolutions and 220 bills were signed by the President in the closing hours of the session. The navy bill, an Administration measure calling for the construction of fifteen light cruisers and an aircraft carrier, was lost in the Senate on May 26 by a vote of 44 to 27, and another adverse vote of 51 to 16 killed an Administration bill intended to provide a better method of promotion for members of the Army Air Corps.

PRESIDENTIAL CONTEST

DOWN to May 23, when President Coolidge vetoed the farm relief bill, the contest for a Presidential nomination on the Republican side showed no marked change from the situation previously noted. None of the Republican candidates was assured of a majority of votes in the convention, and the movement to "draft" Mr. Coolidge for another term, while no more pronounced than before, had obviously lost



Wonderful power of mind over matter
—New York American

none of its strength. A statement by Secretary Mellon, on May 12, to the effect that, of all the candidates in the field, Mr. Hoover "seemed to come closest to the standard set for this high office," left Mr. Mellon's attitude toward the Hoover candidacy somewhat in doubt. An apparent gain for Mr. Hoover in the choice of an instructed delegation in Alabama was offset by the choice of uninstructed delegations in Montana and Vermont, a row in the Texas convention followed by a split and the choice of two sets of delegates, one instructed and the other not, and by the victory of Senator Goff of West Virginia in the Republican primaries in that State. The Republican National Committee met at Kansas City on June 4 and settled contests over 73 seats, all of them, except two from Porto Rico, representing Southern States. State delegations to the convention were assembled in Kansas City by June 11. The Republican Convention opened on Tuesday, June 12, amid scenes of great enthusiasm and tense interest in the coming event. On the same morning the Pennsylvania delegation decided to vote for the nomination of Herbert Hoover as President, which insured his nomination on the first ballot.

The farm relief veto precipitated a revolt. On the day on which the veto was sent in, Governor McMullen of Nebraska issued a statement calling upon the farmers to "rise as crusaders of old," 100,000 strong, "march through the streets of the city that has grown into a great industrial centre

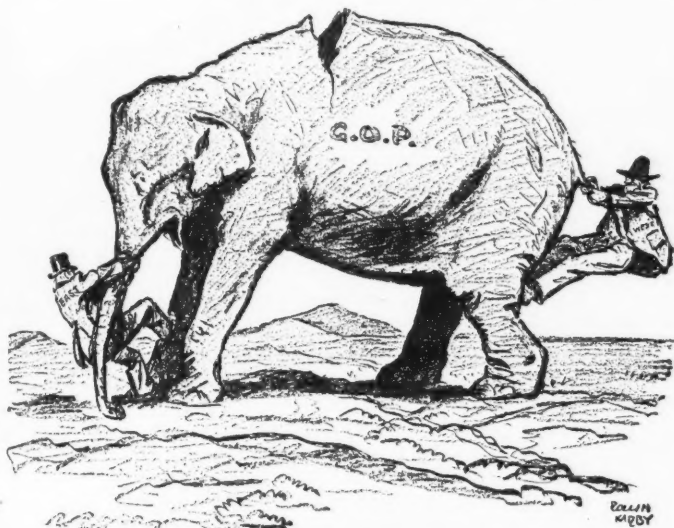


"Some wash, by jiminy!"
—Cleveland Plain Dealer

through the toil of men and women who have struggled against odds to wrest a bare subsistence from the soil," and "face their delegates and challenge their opposition." Fourteen agricultural States that have been

"the backbone of the Republican party since its birth," it was reported on May 28, had formed a committee to impress upon the delegates at Kansas City the necessity of nominating a candidate sympathetic with the needs of the farmers. At a meeting of this committee at Chicago, on June 2, it was announced that the convention would be asked to adopt a platform plank "which will have for its theory farm equality and making the tariff as effective for the farmer as for industry." The committee was described as "essentially pro-Lowden and anti-Hoover."

The Executive Committee of the Corn Belt Federation, an organization claiming to represent



THE UNHAPPY PACHYDERM
—New York World

1,000,000 organized farmers, adopted resolutions at Des Moines, Iowa, on May 28 denouncing the veto message as "intemperate in its language" and "vindictive" in its spirit, and declaring that if Mr. Hoover or Mr. Coolidge or "such a man" were nominated as the party leader "the farmers will utterly refuse to lend support."

The Senate campaign fund investigating committee, which was still pursuing its inquiries when this review was prepared, had learned, down to May 31, of Republican and Democratic contributions aggregating \$653,756, of which amount \$512,544 had been given or expended in behalf of Republi-



BED TIME STORIES

—Claremont (N. H.) Eagle

can candidates. Far the larger portion of this sum, or \$348,342, had been spent for Mr. Hoover. The total expenditure of the Democrats was \$141,211, of which \$100,303 was for the candidacy of Governor Smith.

The interrogation of Senator Heflin of Alabama, whose violent attacks upon Governor Smith had been a feature of the last days of the Congressional session, brought out the fact that Senator Heflin had been paid substantial sums by the Ku Klux Klan for anti-Smith speeches in various States. Senator Heflin admitted that he had been paid for "lectures," and that in the lectures he usually referred to Governor Smith, but he insisted that the subjects of the lectures were of his own choosing.

An inquiry into the campaign expenses of all Presidential candidates and of all



PARADISE LOST

—New York Herald Tribune

candidates for seats in the Senate or House of Representatives this year was ordered by the House on May 29. The reason for the inquiry, which will parallel that of the



Hawkshaw the Detective smells a mouse
—New York Herald Tribune



Columbia may well be proud of him
—The Press, Muncie, Ind.

Senate so far as Presidential candidates are concerned, was said to have been the feeling on the part of Hoover supporters that the Senate committee, in its interrogation of Mr. Hoover, had shown political animus.

OF NATIONAL INTEREST

IN an address at Andover, Mass., on May 19, at the observance of the 150th anniversary of the founding of Phillips Acad-



A GETAWAY
—Brooklyn Daily Eagle

emy, President Coolidge particularly emphasized the importance of religion in education. "The whole foundation of enlightened civilization in government, in society and in business," he said, "rests on religion. * * * For our independent colleges and secondary schools to be neglectful of their responsibilities in this direction is to turn their graduates loose to prey upon one another. Such a dereliction of duty would put in jeopardy the whole fabric of society." A plea for world peace was the subject of an address by Mr. Coolidge at Gettysburg on Memorial Day.

Announcement was made on May 31 that

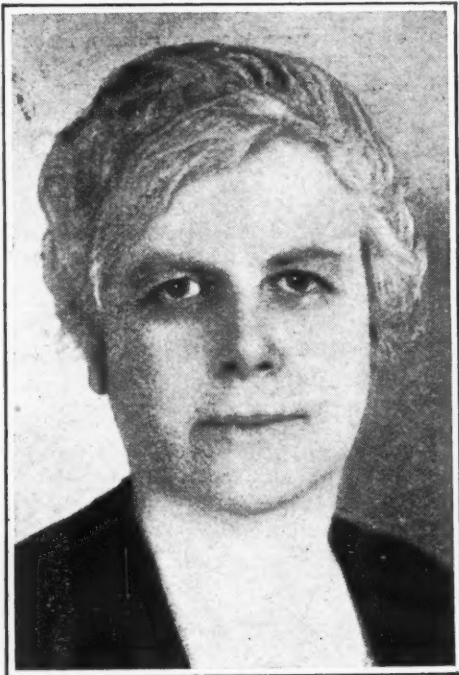


HIS SHIP IS COMING IN
—Topeka (Kan.) Capital

President Coolidge would spend his Summer vacation at Cedar Island Lodge, an extensive estate on an island in the Brule River, Wisconsin.

An offer by the British Government to renew the Root-Bryce arbitration treaty with the United States was rejected by Secretary of State Kellogg, on May 15, on the ground that the treaty itself provides for extension only for a period of years, and that he was desirous of securing the ratification of the anti-war treaty lately submitted to a number of Powers. The Root-Bryce treaty expired June 4.

The Workers', or Communist, Party held its first national convention on May 27 at New York and nominated William Z. Foster for President and Benjamin Gitlow for Vice President. The same candidates were nom-



Associated Press

MRS. FLORENCE KNAPP

Former Secretary of State of New York and the first woman to hold that office, who was convicted on May 26 of grand larceny in the first degree in connection with an unearned census pay check

inated in 1924 by the Executive Committee of the party, no convention being held that year. The platform called for the overthrow of the capitalistic system in the United States, the repeal of the Eighteenth Amendment, and the recognition of Russia.

A new precedent for obtaining evidence in criminal prosecutions by the Government was established, when the Supreme Court, in a 5-to-4 decision on June 4, held in three cases from the State of Washington involving the conviction of Roy Olmstead and others for prohibition violations, that evidence obtained by tapping telephone wires and listening to conversation has legal validity. The Chief Justice said that Congress may enact a law which would protect the secrecy of telephone messages by making them inadmissible in evidence in Federal criminal trials, but pending such action the courts can give no consideration to ethics, and must admit evidence obtained by wire-tapping.

The investigation by the Federal Trade

Commission of the financial and other activities of public utilities corporations, which is still in progress, has revealed large expenditures for school-books and other publications dealing with the business of the companies, the employment of university professors as lecturers, and aggressive efforts to defeat municipal or State ownership or operation of power and other utilities.

Speaking before the fifty-first convention of the National Electric Light Association, assembled in Atlantic City, President Howard T. Sands devoted the major portion of his address on June 5 to the pending investigation by the commission. "We want the investigation of the public utility industry by the Federal Trade Commission to be most searching and complete," he said. According to Mr. Sands every publication, address, news release and account book of the association and the joint committee of National Utility associations have been available for examination by representatives of the commission.

Plans for the establishment of a combined air-and-mail passenger service between New York and Los Angeles, participated in by the Pennsylvania Railroad, the Atchison, Topeka & Santa Fe Railroad, the Curtiss Aeroplane and Motor Company, the Wright Aeronautical Company, and the National Air Transport Company, were announced on May 16. Colonel Charles A. Lindbergh has accepted the chairmanship of the Technical Committee of the new corporation.

Mrs. Florence E. S. Knapp, former Secretary of State of New York, was found guilty on May 26, following a second trial, of grand larceny in the first degree in the diversion to her own use of unearned pay for work alleged to have been done for the State census. The maximum penalty for the offense is ten years' imprisonment. The imposition of sentence was deferred until Sept. 4.

The impeachment of Attorney General Arthur P. Reading of Massachusetts for "misconduct and maladministration" was recommended by a special committee of the Legislature on June 1. The principal charge involved the acceptance by the accused official of a retainer from a New York corporation.

Representative Thomas S. Butler of Pennsylvania, Chairman of the Naval Affairs Committee and the "father" of the House, died at Washington on May 26, in his seventy-third year. At the time of his death he was serving his sixteenth term.

Mexican Religious Issue Under Pope's Consideration

By CHARLES W. HACKETT

PROFESSOR OF LATIN-AMERICAN HISTORY, UNIVERSITY OF TEXAS;
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THE death of Bishop Ignacio Valdespino of Aguascalientes, the second Mexican prelate to die in exile since the expulsion of leading members of the Mexican Catholic Episcopate in April, 1927, occurred at San Antonio, Texas, on May 12. In his funeral oration at the services held on May 15 Archbishop Drossaerts of San Antonio asserted that liberty was "being crucified" in Mexico. Two days later a statement issued by Mexican Consul General Santibañez at San Antonio formally charged Archbishop Drossaerts with attempting, in his funeral oration over the body of Bishop Valdespino, to precipitate "a grave international conflict."

The situation, however, completely changed on June 6 when it was announced that Archbishop Ruiz y Flores, who was expelled from Mexico in April, 1927, was on his way to Rome to submit a report of the Mexican religious situation to Pope Pius in the hope that some adjustment might be effected. On June 7 it was reported from Rome that the Archbishop had presented his report and that the Pope was discussing the Mexican situation in the light of the report with Cardinal Gasparri, Papal Secretary of State, and Mgr. Gorgonciniduca, the Papal Under-Secretary of State. This was followed on June 8 by an announcement from Rome that the Pope had entrusted the Congregation on Extraordinary Ecclesiastical Affairs with the study of the minimum conditions that the Mexican Government should grant to permit the return of the Catholic Church to Mexico. After this organization concludes its study, the dispatch stated, the Pope will decide whether it will be advisable to approach the Mexican Government on the subject and in what way. It was generally felt in Rome that the Pope's action was an important step toward solution of the religious controversy in Mexico.

The Mexican Congress, in session from May 14 to May 23, enacted a law providing for a budget department within the Administration to be dependent directly upon the President, and approved three pro-

posed constitutional amendments that were submitted by General Obregón, the unopposed candidate for the Presidency. The new budget law will enable the budget for 1929 to be prepared legally for submission to Congress by Nov. 1. Last year's budget was drafted under extra-legal administrative orders, but with the approval of Congress.

The first of the proposed amendments would change the basis of representation in the Chamber of Deputies from one Deputy for every 60,000 inhabitants to one for each 100,000, or fraction over 50,000. This amendment if adopted will reduce the number of Deputies, 270, to approximately 150. Its proponents claim that it will result in more careful selection of Deputies. The second amendment would substitute a commission form of government, similar to that in the District of Columbia, for the municipal council form of government in the Federal District and the territories. The third amendment would increase the number of magistrates of the Supreme Court from 11 to 16, provide that they shall be appointed by the President and confirmed by the Senate, and make them removable by a majority vote of both houses of Congress. Approval of the proposed amendments by a majority of the State Legislatures is necessary.

Production and export taxes in Mexico, according to semi-official figures published in "El Excelsior," have increased steadily since early in the year.

The dismissal of General José Alvarez, Chief of Staff to President Calles, was officially announced on May 30. In a statement issued the following day President Calles said that General Alvarez "has betrayed elementary principles of honor and morality, not only directed and manipulated a large contraband of merchandise, but also used my name in telegraphic orders which protected the contraband and insured its immunity." After charging that General Alvarez "was exclusively responsible for the offense, in connivance with various private individuals, foreigners in the major-

ity," President Calles said that he had consigned the affair, in so far as General Alvarez was concerned, "to the competent authorities." Reports of June 1 said that Alvarez and his associates sought customs clearance for boxes of silk valued at \$750,000.

In general, rebellious activity in Mexico was less marked during May than for several months. On May 9 the Ministry of War announced that in the preceding thirty days 386 rebels had surrendered. The Government, it was announced, demanded unconditional surrender of rebel forces but was granting safe conducts to all who laid down their arms. Unofficial reports of May 18 told of an engagement between Federal troops and a band of 80 insurgents in the State of Nayarit. The rebels, after six hours of hot fighting, had been routed. The wounded rebels who

were left behind were reported to have been tried and summarily executed.

A recrudescence of rebellious activity in the State of Colima was reported late in May. A force of 800 rebels attacked the important seaport of Manzanillo on May 25, but were finally repulsed, after desperate fighting, by Federal troops, who were assisted by Marines from the Mexican battleship *Progreso* in the bay. An official communiqué on May 28 stated that the rebel losses, which some reports put as high as 80 dead, included two "generals." The communiqué placed the number of rebels wounded at 75. Two Federal officers and 27 soldiers were killed.

Gross earnings of all railroads in Mexico in 1927 totalled 161,130,278 pesos. Taxes collected from these earnings amounted to 16,952,990 pesos, which sum was applied on the railway indebtedness.

EVENTS IN CENTRAL AMERICA

THE policy of the United States Government toward its Latin-American neighbors was the subject of frequent discussion by noted speakers in the United States during May. In three notable addresses delivered at Princeton University on May 9, 10 and 11 Charles Evans Hughes discussed the general subject of "Our Relations to the Western Hemisphere." In the first lecture, in connection with a reference to the Monroe Doctrine, Mr. Hughes asserted that that doctrine "stands threatening none," and was "a safeguard with which no responsible statesman would be rash enough to attempt to dispense." In his second address, dealing with the recognition of Governments, the furnishing of arms, loans and investments, intervention, pacific settlement of controversies and internal organization, Mr. Hughes vigorously defended the recent policy of the United States in Nicaragua as one that was in accord with the spirit of the Central American treaties of 1907 and 1923. In his third address Mr. Hughes asserted that "the general policy of the United States, as frequently set forth, is non-intervention." He rejected the idea of an American League of Nations on the ground that "there is not a group of recognized Powers which would form the basis for such compromise as made possible the establishment of the League of Nations, with its council and its assembly." With reference to the duty of protecting American lives and property Mr. Hughes said that "no President of the United States, no Secretary of State of any

party or of any political views, learning that the lives and property of our citizens were in immediate danger, would dare to assume the personal responsibility of withholding the protection which he was in a position immediately to give."

Danger that the United States will be charged with hypocrisy was advanced by Professor Thomas P. Moon of Columbia University in an address at New Haven, Conn., on May 7, as the chief reason for careful study of the United States Caribbean policy. Professor Moon asked the question: "Shall we present the spectacle of conducting an election in Nicaragua by Marines while our Secretary of State is taking up with the great nations of the world a proposal to outlaw war?"

The present Administration's Latin-American policy was defended by Senator F. H. Gillett of Massachusetts and Brig. Gen. R. H. Lane in addresses in New York City on May 8. Senator Gillett disclaimed any desire "to own one foot of land in the south of the continent," but declared that "American citizens must be protected, no matter where they are." General Lane declared that "the United States has no cause to be ashamed of any page in the history of its relations with Nicaragua. The policy of the Marines has been to avoid conflict and to fire only when fired upon."

NICARAGUA—Marine forces which late in April left Puerto Cabezas for the La Luz mines in the Pis Pis region had

reached their objective by May 13 after a most difficult ascent of the Prinzapolka River. The rebels who had raided the mines a month earlier had fled before the arrival of the marines. Upon reaching the mines the Americans found a posted notice, signed by the rebel General Sandino, in which the promise was made to destroy all American-owned property that fell into his hands and in which the United States was bitterly condemned for its invasion of Nicaragua "without any more right than that of brute force." The letter concluded with the statement that "the most honorable resolution which your Government should adopt in the conflict with Nicaragua is to withdraw its forces from our territory, thus permitting us, the Nicaraguans, to elect our national Government, which is the only means of pacifying our country."

The most severe combat in several months between United States marines and Nicaraguan rebels occurred in mid-May near Paso Real, 45 miles northeast of Jinotega. One marine was killed, and another and the commanding officer, Captain R. S. Hunter of Kansas, were fatally wounded. Five rebels were killed and five wounded. One of the Nicaraguan constabulary was also killed. Minor engagements between marines and rebels occurred through May.

A third party, known as the Autonomist Party, was organized in Nicaragua late in May by prominent citizens, including Toribio Tijerino, former Nicaraguan Consul General at New York; Bartolomeo Martinez and José Dolores Estrada, ex-Presidents of Nicaragua, and Alberto López Callejas, former Nicaraguan Vice Manager of the National Bank. The platform of the new party contains planks opposing outside intervention and condemns the Conservative and Liberal parties for having "invited intervention." The threatened split in the Conservative Party materialized on May 20, when two candidates for President were nominated by two separate conventions of Conservatives. One convention, which endorsed the Administration and has the support of President Díaz, nominated Foreign Minister Carlos Cuadro Pasos. The Chamorrist Conservatives nominated Vicente Rappoccioli.

General Lewis Mena, Acting President of Nicaragua in 1910 and an outstanding political and revolutionary figure in recent Nicaraguan history, was assassinated near Granada on May 21.

The resignation of Colonel Clifford D. Ham of Dubuque, Iowa, as Collector General of Customs for the Republic of Nica-

ragua, a position which he had held for seventeen years, was announced in Nicaragua on May 31. The same day the announcement was made of the resignation of Roscoe R. Hill of Urbana, Ill., as the American member of the Nicaraguan High Commission. Mr. Hill had held this post for eight years.

Nicaraguan finances and election problems were considered at a conference at the State Department on May 23 that was participated in by Secretary of State Kellogg, officials of the Latin-American Division of the Department, W. W. Cumberland, who has recently completed a financial survey of Nicaragua, Brig. Gen. Frank R. McCoy, who will supervise the election, and representatives of New York bankers.

It was unofficially reported that the question of a loan of \$12,000,000 to the Nicaraguan Government was discussed. It was also stated that Dr. Cumberland's report on the financial condition of Nicaragua was favorable and that he had found that despite the revolution the income of the Nicaraguan Government is now higher than at any time since 1920. It totalled last year \$4,444,000, or only \$1,000 less than in 1920. Exports during 1926 were \$13,029,000, or approximately \$2,500,000 more than in 1920. During 1927 Nicaragua's income was 49.2 per cent. from customs receipts, 39.7 per cent. from internal revenue, 5.9 per cent. from special revenue for public instruction and 5.2 per cent. from miscellaneous receipts.

PANAMA—Don Florencio H. Arozemena was nominated for President of Panamá on the first ballot at the convention of the Liberal Party on May 3, only one vote being cast against him. Señor Arozemena is considered the candidate of the present Administration, although President Chiari declined to give his endorsement to any candidate. The candidate of the Porras Coalition Party is Dr. Jorge Boyd. The election is to be held in August.

In a riot in Panamá City on May 6 between bluejackets attached to two United States naval vessels in the Canal Zone and Panaman police and civilians, twelve persons, including six bluejackets and one United States naval officer, were injured.

COSTA RICA—In his farewell message to the Costa Rican Congress, President Jiménez took occasion to refer to the excellent financial condition of the country. When he assumed office in 1924 the Costa Rican Government owed local banks over

\$50,000; at present the Government has to its credit almost \$1,000,000. In addition the foreign debt has been reduced and the national income has been increased without the necessity of raising taxes or imposing new ones. A farm loan bank, modeled after those in the United States, has been established and has contributed to increased imports and exports. The total revenues of the Government for the year ended on Dec. 31, 1926, were \$7,646,000, with expenditures amounting to \$5,829,797, thus leaving a favorable balance of \$1,816,233. During President Jiménez's Administration the Government has built sewage systems for thirty towns, constructed many miles of highways, more than 100 bridges and sixty-four schools.

GUATEMALA-HONDURAS—Early this year the United States Government was asked by the Governments of Guatemala and Honduras to act as mediator in an endeavor to bring about a settlement of a century-old boundary dispute which involves title to an area of 4,000 square miles in the valley of the Montagua River and the country between it and the Omoa Mountain. The revival of the dispute of so many years' standing was the granting by the Guatemalan Government of a contract to the United Fruit Company for the development of a large tract of land in the disputed area and the granting of a similar contract to the Cuyamel Fruit Company by the Honduran Government.

In accordance with the above-mentioned request the United States Government named the Hon. Roy T. Davis, United States Minister to Costa Rica, as its representative on a mixed commission to make a thorough inspection of conditions along the disputed border and to endeavor to fix upon—either through the agreement of the commission or the decision of the representative of the mediating Government—a provisional line that would be acceptable to both Guatemala and Honduras, pending agreement on a permanent frontier.

The mixed commission was formally installed on April 7. Early in May, after a reconnaissance of the disputed area by muleback, motorboat, canoe and airplane, the commission recessed for further consideration of the questions involved, mainly on account of the illness of the Guatemalan member of the commission. When this occurred, the commission's Chairman, Mr. Davis, left for Washington for a conference with State Department officials in a further study of the questions involved.

Dispatches from the Honduran capital on May 13 told of patriotic demonstrations against Guatemala that were occasioned by the boundary dispute, and of the organization throughout the country of "defense" societies. A "high committee" of the recently organized Honduran Union issued a manifesto calling upon the Honduran people to remain "strongly unified in the crisis with Guatemala." Tegucigalpa dispatches of May 19 stated that the Honduran press was carrying on a violent campaign on the boundary issue, and that the United Fruit Company was receiving the burden of the press attacks and was being accused of being the cause of the present phase of the dispute. This was denied, and the latter company was reported to have submitted to President Paz Barahona a statement outlining a policy of strict neutrality and agreeing to abide by any decision, provisional or permanent, in the boundary dispute.

Little progress was made toward a settlement. Finally, in identic notes to the Central American Governments made public on June 6, Secretary of State Kellogg urged them to submit their boundary dispute to arbitration by the International Central American Tribunal created by the convention of Feb. 7, 1928, signed in Washington by representatives of Guatemala and Honduras. Replies were received from the two Central American republics on June 8. It was understood that they constituted virtual acceptance of the American Secretary's proposal to empower the tribunal to fix a common boundary between the two States.

CUBA—The Shipstead resolution, introduced in the United States Senate on April 17, and instructing the Senate Foreign Relations Committee to investigate whether the property, rights and lives of Americans living in Cuba are being protected, and the subsequent authorization by the United States Senate of the appointment of a committee to inquire into claims of J. E. Barlow, an American resident of Havana, were reported on May 4 to have aroused a storm of protest in the Cuban press. The Cuban Government refused to take cognizance of the issue on the ground that no official confirmation of the proposed investigation had reached the Cuban State Department.

HAITI—Hannibal Price, Haitien Minister to the United States since 1925, was recalled by his Government late in May.

President Gomez and the Venezuelan Congress

By N. ANDREW N. CLEVEN

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CURRENT HISTORY ASSOCIATE

THE National Congress of Venezuela met in annual session on the 19th of last April. By Article 101 of the National Constitution the Chief Executive is required to lay before the National Congress an account of the state of the country and to suggest such legislation as he deems necessary. The relations between Venezuela and foreign Powers were known to be friendly and did not require, aside from the formal expressions of goodwill, any extended treatment. The internal conditions, on the other hand, called for precise and definite treatment. These conditions had been in a very unsettled state since the beginning of the year, in spite of repeated denials to the contrary. The insurrectionary movements of February, March and April did break out, whatever may have been the cause or causes which forced them. It does not matter that these revolts were crushed in the usual able manner. The thing that matters is that such revolts were possible at all under a régime known for its great power. President Gómez was forced to display that power, which had raised him to the Presidency in 1908, and which has kept him in that position ever since that time.

The Annual Message was presented to Congress on April 21. President Gómez explained the efforts to disturb the peace of his country in this manner:

The Republic has continued to enjoy the inestimable blessings of peace. The recent uprising in this capital of some subaltern officers of the army, bribed by my enemies—who are also the enemies of the peace and prosperity of Venezuela—was impotent to light the fire of civil war.

My enemies have always used sinister means to attack me, without succeeding in disturbing the serenity of my mind. Never has anger or just resentment dominated me or made me take measures of repression, unless they were authorized by our laws and strictly necessary to safeguard peace. I have raised no scaffolds, and every time I have seen it possible for mercy to temper the severity of justice, I have let the former have full play. On March of last year I ordered all those who had been arrested as disturbers of the political order to be set free, and I ordered the prison of the Rotunda in Caracas to be converted into a warehouse for the materials used in the public works.

In a joyful spirit I stated in my address

of Jan. 1 of the present year that there were no political prisoners, and that the doors of the country were opened to all our citizens. But a few Venezuelans who rove through Mexico and other American countries, preferred to remain in those countries laboring for the ruin of the land that gave them birth. Some of them represent interests opposed to those of Venezuela, and others are affiliated with organizations having communistic principles or tendencies. Through their emissaries and agents they have carried on in Caracas a fallacious propaganda, and (hiding their own purposes) they succeeded in leading astray part of the university students and the commercial clerks associated in the capital. This gave rise to the tumultuous demonstrations of the last part of February which took place here, and which revealed a subversive attitude. Using to the utmost, however, a feeling of kindness and tolerance, I limited myself to ordering that the students who, as a sign of protest for the arrest of three of their companions who had created a disturbance, had also demanded to be arrested, be confined for ten days. After this short time had elapsed they were set at liberty, and afterward several citizens who were arrested in Caracas on account of the demonstrations were also set free. These incidents gave an opportunity to the above mentioned Venezuelans, living in foreign lands, to invent the most fantastic stories which they have published in the Mexican press and in some Colombian newspapers, regarding a bloody suppression which existed only in the imagination of those narrating it. In those same days the clandestine propaganda was intensified in the capital and finally broke out on the 7th instant, at dawn, in the shape of military treachery and indiscriminate murder, a coup that had been prepared beforehand, and which, as was to be expected, failed utterly.

These crimes do not affect in the slightest manner the good name of the army or its unsullied loyalty. Neither do they have any effect upon the good sense, love of order and adhesion to my government of the Venezuelan people who condemn them with horror. Peace is firmly established and our political situation is strong.

Of even greater significance is the Special Message which President Gómez sent to the National Congress on April 23. In view of the nature of its contents the document is here given in full:

When your legislative body, representing our national sovereignty, elected my son, General José Vicente Gómez, some years ago, Vice President of the Republic, I considered that, with that election, Congress wished to strengthen my authority as President of the Republic, to which post you

had elected me at the same time. But that first mentioned appointment has served as a pretext for a pernicious propaganda by those who are envious of the peace and order enjoyed by our country, and who try to agitate public opinion, charging me with aspiring to convert the nation into a patrimony for my family by imposing my son as my successor in the First Magistracy, a calumny that touches my sentiments and convictions to the quick, for in the principle of equality, according to which political advantages or privileges can never be ascribed to the circumstances of birth, I see not only a fundamental duty consecrated in favor of all Venezuelans by all our Constitutions, but also a democratic dogma most deeply rooted in the public conscience. In the invigorating atmosphere created by such dogma I shaped my own career, ascending through my own efforts to the position I now occupy. I cannot, on the other hand, very well covet that a son of mine should succeed me in the Presidency of the Republic, a position filled with difficulties, not free from dangers and in which, if it is true that great satisfactions may be enjoyed in doing good to the fatherland, many disillusionments are experienced and many sorrows felt, these being the usual recompense of political life. Those are the reasons why I have advised all my sons to try to keep aloof from politics and to devote their energies exclusively to work.

General José Vicente Gómez, who has my entire confidence and paternal love, accepted from Congress the nomination of Vice President of the Republic, and from me the post of Inspector General of the Army, guided solely by high considerations prompted by his attachment to the political cause that I represent, and as proof of affection for me; but now, realizing that through the above mentioned propaganda truth was being misrepresented, he has notified me of his decision to separate himself from both offices.

In regard to the post of Inspector General of the Army, I decide to eliminate it, this being within my prerogative. As to the Vice Presidency of the Republic, I judge that it is not necessary to maintain this office. While the President of the Republic is invested with the position, his temporary absence may be supplied by any of the Ministers of the Cabinet he may designate, and in case of his total separation from office, it behooves the National Congress to nominate a new President for the rest of the Presidential period.

The importance of the subject has prompted me to address you this message so that, if you accept the ideas which I have expressed, and if you should consider advisable to translate them into constitutional precepts, the reform of our present Fundamental Charter may be initiated by you.

Of course, in order to avoid misinterpretations, I beg you to make it a point that, through this amendment, the present term of the Presidency of the Republic, ending on April 19 of the coming year, shall not be lengthened nor modified.

Probably the most important of the other measures which the President dealt with in

his first Message was that dealing with a free port on the Bay of Turiamo. The great increase in the foreign trade of Venezuela has brought to the fore the need of new port facilities. The port of Turiamo has become, by virtue of its position, one of the most important ports in the Republic, and the movement to make it a free port was both rational and logical.

Gómez has again played his cards rather skilfully. He has publicly declared that the present term of the Presidency of the Republic will end on April 19, 1929; the fears that he will establish a dynasty with his son as heir and immediate successor have been allayed, at least for the moment, by the removal of this son from the positions of Inspector General of the Army and the Vice Presidency of the Republic, and he has, by his recommendation for the abolition of the office of Vice President of the Republic, removed one other source of possible intrigue. For the present, therefore, President Gómez is firmly entrenched in power in Venezuela.

ARGENTINA—The Government of the Argentine is confronted with a serious immigration problem. While it has received the largest number of emigrants from Spain to America, receiving 29,702 from that country, the remaining number of the total 45,483 emigrating from Spain going to the following countries: Cuba, 9,034; Brazil, 2,607; Uruguay, 2,470; Mexico, 710; United States of North America, 123; Venezuela, 108; Panama, 81; Peru, 60; Colombia, 31, and Ecuador, 2—yet she is confronted with the prospect of an influx of a large number of undesirable immigrants both from Europe and Asia. The National Department of Immigration has given attention to this whole problem and has urged the need of devoting careful study to it. It has made the following recommendations: consuls abroad to be given instructions to grant visas only to those whom they think desirable; and, in order to prevent the immigrants from settling in Buenos Aires, Rosario, Bahia Blanca and other ports, the immigrants shall be transported directly to those parts of the Republic where they are needed.

The May Day Address of Señor Enrique Dickman has caused no little apprehension among the conservative political groups of the Republic. Señor Dickman is a member of the Chamber of Deputies and one of the leaders of the International Socialists. He is said to have declared that the Interna-

tional Socialists have been converted to the plan advocated by the Third International. He is also said to have declared that the plan heretofore followed, namely, that of attempting to bring about their aims, has failed, and that it is necessary to resort to direct action in the streets. Just what would be the nature of this action was not revealed. The recent effort on May 23 to assassinate distinguished persons who, it was hoped, would assemble on the occasion of the formal dedication of the building in which the Italian consulate is located, has tended to aggravate the entire situation. The explosion of the bomb occurred shortly after noon and caused the death of ten and the injury of at least forty persons. No cause was discovered for the crime; but it was believed to have been the act of anti-Fascisti. This is the view of the Italian Ambassador, Count Martin-Franklin, in an interview with The Associated Press. He therein declared that the act was similar to the recent attempt to assassinate the King of Italy in Milan. One hundred of the extreme radicals were arrested and a guard of policemen stationed about the Italian consulate, the Italian embassy and the several Fascisti newspaper offices in Buenos Aires.

BRAZIL—The Senate of Brazil has, by a vote of 25 to 7, sustained the recommendation of the Commission on the Powers of the Senate not to count the votes cast by women in the State of Rio Grande do Norte in the recent Senatorial election. The reason given was that the women possess only the right to vote in matters which concern that State alone. While this was considered a serious setback, the leaders of the feminist movement in Brazil declared that they would continue their work unabated.

An agreement has been published between the Henry Ford Motor Company and the State of Para whereby large concessions of rubber holdings on the Amazon were conceded to that company. The *Gazeta Noticias* stigmatized the whole transaction as fantastic, declaring that exempting Mr. Ford from paying any import duties for fifty years and at the same time permitting him to carry on a competitive trade with Brazilian concerns was bound to affect Brazilian interests adversely.

PARAGUAY—The National Congress convened on May 16 to determine the choice of the electors for President and Vice

President of the republic. It was found that of the 188 Presidential electors chosen in the election of April 15, 146 were supporters of Dr. José P. Guggiari and Dr. Emiliano González-Navero. Señores Guggiari and Navero were accordingly declared elected President and Vice President, respectively. President-elect Guggiari's program may be said to be summed up in the words "peace and work," for it is by this rallying cry that he hopes to bring about the greatest prosperity for the country and its people.

BOLIVIA—The formal opening of the railway from Arica to La Paz was celebrated with appropriate ceremonies on May 13.

Bolivia and Paraguay are still unable to agree upon a solution of their boundary differences. One of the recent moves has been to endeavor to induce them both to refer the whole matter to arbitration. While this is not unacceptable the question of the arbitrator is one that seems very far from solution. Bolivia desires to submit the questions at issue to The Hague Tribunal, while Paraguay desires to submit them to the United States of North America for final solution.

PERU—The earthquake disturbances which occurred during the middle of May on the coast of South America brought about a great deal of havoc in Peru. Among the towns destroyed was the old one of Chachapoyas. Through the liberality of public-spirited citizens money and goods were collected and sent to the stricken places. President Leguía informed the municipality of Chachapoyas that the National Government would restore the old city upon a scale of great magnificence.

Dr. Víctor M. Maurtua, Ambassador to Brazil and ex-member of the Peruvian delegation at the Havana Conference, passed through parts of Chile on his way to Rio de Janeiro. He was received with marked cordiality by the Chilean Government. Dr. Maurtua denied, however, that his visit to Chile had any special significance or that his visit was even of a diplomatic character.

At Lima it was announced that regular air service, passenger, mail and freight, had been arranged. Air lines will cover the entire country, according to present plans. Three contracts have already been let, and commercial aviation experts expect that the service will start within the next few months.

The New Status of the British Dominions

By RALSTON HAYDEN

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TWO highly significant events in the constitutional development of the British Commonwealth of Nations have occurred within the past month. One was the dispatch by the United States of separate invitations to the British Dominions and India to adhere to the proposed multilateral treaty renouncing war as an instrument of national policy; the other, a full dress debate in the Canadian House of Commons upon the measures being taken to give effect to the decisions of the Imperial Conference of 1926 concerning the status of the Dominions.

Direct communication with the British Dominions and India concerning the Kellogg treaty was initiated by the American State Department on May 21 at the suggestion of Sir Austen Chamberlain, the British Foreign Secretary. The United States was informed, Secretary Kellogg announced, that "His Majesty's Government in Great Britain had been in communication with His Majesty's Governments in the Dominions and with the Government of India and had ascertained that they were all in cordial agreement with the general principles of the multilateral treaty for the renunciation of war"; and that "His Majesty's Governments in the Dominions and the Government of India were prepared to accept an invitation to participate in the conclusion of such a treaty."

In response to this suggestion invitations were presented directly to Canada and the Irish Free State, the two Commonwealths with which the United States has exchanged Ministers, and through the Government of Great Britain to Australia, New Zealand, South Africa and India. The terms of Sir Austen Chamberlain's note to the State Department indicated the principles which were relied upon and the processes which were followed in London and the other capitals of the empire in dealing with this momentous imperial problem in foreign policy. Sir Austen's statement clearly showed that the final acceptance or rejection of the Kellogg proposals would be by the individual, separate acts of the Governments of Great Britain, the Dominions and India; but it also indicated that this action

would be taken only after consultation between all of them, this being the procedure they have agreed upon in dealing with international relations which affect the empire as a whole.

The debate in the Canadian House of Commons, which took place on May 28 and 29, touched upon many phases of inter-imperial relations, revealed a great deal about what has actually been done to put into effect the principles adopted by the conference of 1926 and provided the Canadian parties an opportunity to express their views as to the past, present and future relations between the Dominion and Great Britain. The proposition under discussion was the following formal motion of want of confidence introduced by Henri Bourassa, the Nationalist leader: "This House regrets that proper steps have not yet been taken to give full effect, both in domestic and foreign affairs, to the 'equality of status' acknowledged by the Imperial Conference, 1926, to be the 'root principle' of the relationship between the self-governing British communities."

Mr. Bourassa, whose speech was very moderate in tone, wished to know why seven months after the conference correspondence between the British and the Canadian Governments was still exchanged through the Governor-General, despite the decision of the conference that henceforth the Dominion and the British Governments should deal directly with each other. What was being done in the matter of merchant shipping laws? Was Canada to continue to submit appeals from its highest court to the Privy Council in London? In the realm of foreign affairs, Mr. Bourassa declared that in 1927 Canada had "broken relations with Russia simply and solely because the British Government had done so;" and added that Canada should confine its engagements to what was commanded by its own position, and "should not rely blindly upon statesmen responsible to the people of the United Kingdom, on the other side of the ocean, to prepare and to conclude our relations, and then to break them, for reasons which may be good or bad but have no application to Canada."

He further demanded that foreign consuls in Canada should be accredited directly to the Dominion Government and that they should receive their approval from Ottawa and not from London. He urged that there should be a clearer understanding with Great Britain concerning both the "moral" and the "active" obligations which might be laid upon Canada by any international agreement to which Canada might become a party in common with Great Britain and other members of the Empire, referring specifically to misunderstandings said to have arisen concerning the proposed Anglo-Egyptian treaty. Mr. Bourassa's speech was characterized later in the debate as distinctly separatist, although he denied that he desired complete separation from Great Britain. Certainly it showed the line of action which is being followed by those who wish the developments of these crucial years to carry Canada constantly in the direction of greater independence and national self-sufficiency.

In replying to his French-Canadian critic, Prime Minister Mackenzie King said that since July 1, 1927, communication between the Canadian and British Governments had been direct, and not through the Governor-General. The reason for the delay in putting the new arrangement into effect was that the appropriations for the necessary additional personnel in the Ministry of External Affairs would not become effective until the new fiscal year, but already many of the communications for nearly a year had been exchanged direct between Prime Minister and Prime Minister. Turning to foreign relations, Mr. King denied that Canada had blindly and subversively followed Great Britain's lead in

breaking off relations with Russia. That action had been taken independently, and the actual cause of the break, he declared, was the persistence of the Russian trade mission in Montreal in taking advantage of its position to circulate Communist propaganda in Canada. As to foreign consuls in Canada, these officials received their exequaturs from the King, as formerly, but the countersignature was now that of the Canadian Minister of External Affairs rather than that of the British Foreign Secretary. In the matter of the Egyptian treaty, the Canadian Government had decided that it could not join in signing the agreement, and that therefore the treaty had been modified to exclude Canada, and that the Dominion had assumed no obligations, "moral" or "active" under it. Mr. King then recalled that the report of the Imperial Conference "sets out quite distinctly and deliberately that where there is an intention to bind another Government by anything that is said or signed, that particular obligation must be specifically stated, and must be specifically agreed to by the Government that as a consequence is to be obligated. I think that with that understood and with that safeguard, consultation, conference, cooperation and co-ordination can be carried on with security and to the advantage of all concerned.

In conclusion, the Prime Minister expressed the belief that, "nothing in British history has done more to put the British Empire on a firm and enduring foundation than has the statement of relative position between the several Governments of the Empire as set forth at the Imperial conference of 1926 and as approved by all of the Governments there assembled."

OTHER EVENTS IN THE BRITISH EMPIRE

GREAT BRITAIN—Debate in the House of Commons on Winston Churchill's spectacular budget and the final passage of the "votes for flappers" bill through the House of Lords were the outstanding events of the parliamentary month in Great Britain. Although subjected to vituperative attack by Philip Snowden, the former Labor Chancellor of the Exchequer, and criticism in detail by Lloyd George and others, it was evident that Mr. Churchill's bold scheme to reform local rates, revive industry, relieve unemployment and solve the nation's financial problems had made a deep appeal both to the Commons and to the British public.

The bill which will extend the franchise to women who have reached the age of 21 passed the House of Lords on May 22 by a majority of 79. Less than forty members of the upper chamber were actively opposed to the measure, and they were informed by Lord Birkenhead that to force an election on this issue "would mean a massacre of their Lordships' House, so having once started on the slippery slope of the female franchise, they might as well slide to the bottom with dignity instead of ridicule." It was estimated that almost half a million women will be added to the register by the new law.

Another interesting parliamentary inci-

dent was the withdrawal by the Government of a clause in the Rating and Valuation bill which gave the proper administrative authorities power to appeal to the High Court of Justice for an authoritative opinion upon certain questions of rating law. The practice, the Lord Chancellor stated, "might lead to the impression that there is some improper connection between the Executive and the Judiciary." He fully agreed that the two must be quite independent, because it was the function of the judiciary to protect the subject against the Crown, and he had decided, therefore, having been given the final decision on the point, to advise dropping the proposal. Thus once again was upheld the ancient dogma of the separation of the powers of government. The decision is of special interest in America, where the Federal tribunals have steadfastly refused to give advisory opinions, while in a number of States the courts are not only authorized but directed to do so, upon the request of the executive authorities.

IRELAND—The change which has come over the relations between Great Britain and Ireland was forcibly illustrated on May 17 when the bitterest enemies of the pre-Free State days joined in a Pilgrim's dinner given in honor of Timothy Healy, the first Governor-General of the Free State, on his seventy-third birthday. Past enmities were forgotten by the distinguished political leaders of both countries who were present. After expressing complete optimism as to the future of Ireland, Mr. Healy said: "The Free State enjoys powers which the States of the American Union have long since surrendered to the Federal Government. In my judgment, after 750 years of strife and trouble, we owe to those who took a generous view of history, to the statesmen who signed that treaty [between the Free State and Great Britain] the same gratitude we felt for Gladstone when he brought forward the first Home Rule Bill."

AUSTRALIA—Sir Adrian Knox, Chief Justice of the Commonwealth, it was announced on May 16, refused to act as Royal Commissioner to inquire into the charge made by Mr. Lambert, a Labor member of the House of Representatives, that he was offered a bribe of £8,000 to withdraw his candidature for a seat in the

House in favor of Edward G. Theodore, former Labor Premier of Queensland. Other charges of electoral corruption upon a large scale have also been made.

Once again labor troubles have crippled Australia's ocean transport. Thirteen coastal vessels were tied up on May 15, with indications that this number would be greatly increased. This time the trouble was due to the ships' cooks, who struck because of an owner's refusal to appoint, at the union's request, a galley hand in excess of the complement prescribed by the Arbitration Court.

SOUTH AFRICA—Reports from Cape Town indicate that the adverse report of the Senate Select Committee on the Iron and Steel Industry bill, a measure which has as its object the establishment of a State-controlled industry at a cost of some £5,000,000, has practically killed that measure. As an alternative to government ownership the committee recommended the policy of increased State encouragement of private industry along the lines provided for by the Bounties act of 1922.

Riots in which a large number of natives and a dozen policemen were injured marked the unfurling of the new Union flag at Cape Town on June 1. Cars flying the new ensign were wrecked by the blacks and police reinforcements were required to bring the situation under control.

INDIA—Much interest was shown during the past month both in India and in England in the coming conference in London between the British Government and an important group of Indian ruling princes on the subject of the future relations between the native Indian States and the Government of India. At the same time there will be available the report of the Indian States Inquiry Commission, a group of experts who have just completed an extended inquiry into the same subject. This commission, headed by Sir Harcourt Butler, a veteran Indian administrator, traveled 8,000 miles in India and visited many of the seven hundred native States in which live more than 72,000,000 of India's population. The problem of these semi-independent principalities of every degree of civilization, wealth and power, is recognized as closely related to the more acute questions of constitutional reform in British India now under consideration by the Simon commission.

Tasks Confronting the New French Parliament

By HENRY GRATTAN DOYLE

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CURRENT HISTORY ASSOCIATE

THE Ministerial Declaration of Policy read by Premier Poincaré to the Chamber of Deputies on June 7, in which he stressed the need of proper preparation for the projected return to a gold standard, and his careful avoidance of setting any definite date for this, threw cold water on the hopes of those who had anticipated that this momentous event was imminent.

The time and method for effecting the legal stabilization of the franc appeared to be the overshadowing problem that faced the Poincaré Sacred Union Ministry when the new French Parliament met for the first time on June 1. Returned to office by an overwhelming majority, M. Poincaré and his associates nevertheless were confronted with the necessity of making decisions of far-reaching importance—decisions that may cause that majority, made up as it is of some naturally discordant groups, to melt away as did that of the Left Cartel which M. Poincaré's government replaced in 1926. That France's man of the hour was conscious of this was evident in a speech that M. Poincaré made at Bar-le-Duc on May 7, immediately after the elections, when one would expect him to be somewhat flushed with victory and perhaps naturally over-confident. Such was not the case; his speech was filled with the note of warning. The people had shown, he said, that they wanted the task of financial rehabilitation completed, and the majority elected to support the Government must forget party lines and petty politics and carry out the people's mandate. "One false step," he said, "would suffice to make the country fall back over the precipice—and then nobody in the world could pull it back." This note of solemn warning was even more strongly emphasized in the Ministerial Declaration of Policy read to the Chamber on June 7, which said in part:

If we wish soon to give our money official stability, if we wish to prepare at last, without too great disturbance, to get rid of the artificial rate and to secure the convertibility of our bank notes into gold, we must, both before and after legal measures have been taken, group together and maintain the whole series of factors, the permanent settlement of which is indispensable to the

success and duration of any monetary operation. Nothing can be done, or rather everything will be undone, after Parliament has taken the necessary measures to balance the budget, if the policy of economics is not resolutely followed; if the commercial balance is not favorable; if the State's creditors are given cause for alarm, or if the utmost vigilance is not maintained during months, and perhaps years, so that nothing is left to hazard. If there were too many prodigalities, or any waste, only a few weeks would suffice to make the establishment of the franc on a sound basis utterly illusory.

On the same date, on the other hand, it was unofficially reported from Paris that the Premier was seriously considering the possibility of a swift stabilization of the franc, a step favored by Emile Moreau, Governor of the Bank of France.

If the history of the last two Parliaments is a proper basis for prophecy, the reception of the Premier by the Chamber of Deputies on the opening day is a good augury; Poincaré was only mildly welcomed by the Deputies, while Clemenceau, in 1919, and Herriot, in 1924, received tremendous ovations on the opening day—only to fall, the former into almost complete political eclipse, the latter into a distinctly secondary rôle, before the life of the Parliament ended. Perhaps the comparative calm which Poincaré met is an indication that the members realize the importance of the task which faces them and are approaching it with sober determination.

The election of a President of the Chamber on June 5 resulted in the choice of Fernand Bouisson, President of the old Chamber, over Henry Franklin-Bouillon by a vote of 327 to 243. Bouisson is a Socialist and therefore technically in opposition to the Government, while his opponent is one of the most enthusiastic Unionists; but the election was not made a matter of support of the Government, M. Bouisson's fairness as presiding officer being generally recognized.

It will apparently be impossible for some time to give correct listings of parties and groups, because the party and group affiliations of the Deputies are uncertain or in a state of flux. There has been a definite, though unsuccessful, effort, for instance, to

form a new Centre Party under M. Tardieu, which might muster between 100 and 110 members. Another unsuccessful effort has been made to enlist all first-term Deputies under one banner. Whatever success has been attained in the formation of new groups belongs almost wholly to M. Franklin-Bouillon, formerly a Radical Socialist, who has succeeded in creating the "Unionist Left"—really a central group—of some thirty Deputies on the basis of his program (see April CURRENT HISTORY) for a party truce for four years, in order that the task of financial rehabilitation may be accomplished.

The failure of the Socialists to gain any seats in the new Chamber—in fact, they lost, relatively speaking, because of the numerical increase in membership of the Chamber—has naturally caused considerable comment. The defeat of their able leader, M. Léon Blum, and of M. Jean Longuet (grandson of Karl Marx) was a blow. In the analysis of the elections, however, the Socialists derive some comfort from the fact that the party polled about 1,700,000 votes on the first ballot (April 22), or about 100,000 more votes than the entire party polled in 1919, before the split which produced the Communist group. According to *La Croix* (Clerical Nationalist journal), "If the Communists had joined with them [the Socialists], their bloc would have won thirty more seats. Then the Chamber of Deputies would have had a Socialist-Communist wing of 150 members. The Communist Party alone has saved us from this disaster." The reference here is to the second ballot (April 29), in which the Communists—acting, it is alleged, on orders from Moscow—refused to cooperate with the Socialists in districts where there was no majority, thereby allowing more Conservative candidates to win.

The expected appointment of M. Louis Loucheur as Minister of Labor in the Cabinet was announced on June 2. He took the place of M. André Fallières, the only member of the Poincaré ministry defeated in the elections. M. Loucheur has been a member of several Cabinets. On May 31, M. Aristide Briand returned to Paris and attended his first Cabinet meeting since the middle of April. He was described as "looking pale, but smiling."

If the Socialist victory in Germany augurs well for the maintenance of good-feeling between France and Germany, certain incidents in France are of little less significance. Not even the suspicion aroused



THE RESULT OF THE FRENCH ELECTIONS

Poincaré to Marianne: "Your cap a little to the right and we can keep well in step."

—*De Groene Amsterdammer, Amsterdam*

by the phosgene gas disaster in Hamburg on May 20 appears to have prevented the growth of friendly sentiments. On May 7 German opera was presented in the original in Paris for the first time since 1914. On May 26 Marshal Foch was quoted as speaking of Marshal von Hindenburg in terms of great respect.

On May 24 the trial of Alsatian autonomists, which had been in progress for three weeks at Colmar, ended amid tumultuous scenes. Four of the fifteen defendants were found guilty and sentenced to one year in prison, to be followed by five years of exile. Those convicted were Georges Eugène Ricklin, Paul Joseph Schall, Joseph Victor Rossé and Joseph Fasshauer. Dr. Ricklin and M. Rossé are members-elect of the new French Chamber. On hearing the sentence, Dr. Ricklin, who is 65, declared: "Before God, who on account of my years will soon judge me, I swear that I never desired any contact with a foreign country and that I know that the Alsatian union with France is indissoluble."

France and Switzerland have recently decided to submit to the World Court of Justice at The Hague their dispute as to the so-called "free zones" in the French departments of Savoy and Gex, adjoining Geneva. As Geneva is almost completely surrounded by French territory, her economic life is largely dependent on France. From the seventeenth century on, Geneva had had the privilege of trading with certain French contiguous territory without the payment of customs duties. This right was confirmed at the Congress of Vienna in

return for Swiss permission for the passage of troops of the Allied Powers through her territories in 1813. Since the World War these privileges have been abrogated and the ten-year-old dispute now goes to the Court for settlement.

Progress of the Kellogg-Briand treaty discussion is reported elsewhere in this issue. French public opinion seems to have been especially favorably impressed by President Coolidge's address at Gettysburg on Memorial Day and by General Pershing's address at Thiaucourt and Ambassador Herrick's at Suresnes, both in connection with exercises in commemoration of the American dead. At Suresnes French war orphans decorated the graves of American soldiers, and throughout France French and Americans united in paying honors to the heroic dead. It has been announced that the memorial and mausoleum for the members of the Lafayette Escadrille, erected at Villeneuve l'Etang, will be dedicated on

July 4. Two memorials to Pennsylvania soldiers, at Fismes and Varennes, will also be dedicated soon.

The consolidated 5 per cent. loan offered on May 7 was very well received. On May 15 the total amount subscribed exceeded 10,000,000,000 francs (\$400,000,000) and further cash subscriptions were refused, but the deposit for exchange of bonds previously issued was continued. The issues in question were reconstruction bonds of 1922, ten-year reparations bonds, and treasury bonds (three to ten years) issued in 1923. By June 1 the total of cash and exchange subscriptions to the new loan was reported to have reached 18,000,000,000 francs (\$720,000,000). From the cash subscriptions, the Government on May 31 reimbursed the Bank of France for advances in the amount of 900,000,000 francs (\$36,000,000), reducing the total indebtedness to the bank to less than 22,000,000,000 francs, the lowest level in many years.

EVENTS IN BELGIUM

ON May 23 it was reported from Brussels that the Belgian Government was in full sympathy with the Kellogg proposals for the outlawry of war, and that it favored "any action that would fortify the guarantees held by Belgium under the Locarno pact and the covenant of the League of Nations."

Though Belgium was not directly invited to participate in the negotiations, copies of the Kellogg-Briand exchanges were forwarded to the Belgian Government, it was reported. M. Paul Hymans, Minister of Foreign Affairs, was understood to have indicated that as a signatory to the Locarno treaties Belgium believed that it should be invited to participate in any general exchange of views. Evidently as a "condition precedent," it was likewise reported that it was the opinion of the Belgian Foreign Office that contractual obligations already existing should be formally confirmed not only by the contracting parties but by all parties.

Negotiations for a new treaty between Belgium and Holland may be expected to begin soon, in view of the parliamentary declaration of M. Beelaerts van Blokland, Minister of Foreign Affairs of the Netherlands, that the differences between the two countries should not be allowed to be drawn

out indefinitely, and that in any case he hoped that they might be settled before the 1929 elections in the two countries. A treaty negotiated in 1925 was rejected by the Netherlands.

Interesting figures illustrating the comparative attendance of French-speaking and Flemish-speaking students at the University of Ghent were recently published in *Le Temps* of Paris. According to the "League for Belgian Unity," the student population has been distributed as follows:

Year	French-Speaking	Flemish-Speaking
1923-24.....	360	30
1924-25.....	827	50
1925-26.....	906	128
1926-27.....	1,226	140
1927-28.....	1,196	172

It has been proposed to make Flemish the official language of the university.

The Belgian National Railroad Company, established some eighteen months ago to take over the Government railways, recently paid interest at the rate of 9 per cent. and donated 1,000,000 francs to the Belgian National Research Fund.

On June 5 the Belgian royal family left Antwerp for its visit to the Congo, previously announced.

The Louvain library will be dedicated on July 4.

German Socialist Gains at Reichstag Election

By HARRY J. CARMAN

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CURRENT HISTORY ASSOCIATE

THE general election of Deputies to the German Reichstag held on May 20 resulted in a triumph for the parties of the Left and a corresponding setback for the reactionary Right. The result of the balloting was approximately as follows:

Party	Total Votes	Seats in New Reichstag	Seats in Last Reichstag
Social Democrats (Socialists)	9,000,000	152	131
German National- ists	4,444,000	73	111
Centrists	3,612,000	62	69
Communists	3,080,000	54	45
German People's Party	3,094,000	45	51
Democrats	1,495,000	25	25
Economic League	1,366,000	23	17
Bavarian People's Party	942,000	16	19
Fascists	777,000	12	14
Other Parties	2,790,000	28	0

The election may also be interpreted as expressing an overwhelming desire on the part of the majority of the German people to continue Foreign Minister Stresemann's policy of reconciliation and fulfillment of international obligations. For the Nationalists it was the most severe defeat they have suffered since the war. Out of 30,592,444 votes cast, five Liberal parties, whose chief common characteristic is support of Stresemann's leadership of Germany's international relations, secured a majority of three-fifths, assuring a so-called great coalition of command in the Government and opening the prospects of a Socialist Chancellor at its head for the first time since the revolutionary period. The Socialist gains exceeded their own expectations, while the Nationalist defeat was more severe than had been predicted.

During the campaign, the Nationalists, the direct successor to the old German Conservative Party of the empire and composed primarily of agrarians and landholders, ex-army officers, officials of the old régime and industrialists and middle-class elements with monarchist sympathies, severely criticized Stresemann and his policy. "We demand," their program read, "a strong, consistent foreign policy, based solely on a German viewpoint; a dignified, stanch and skillful representation of German interests abroad and the utilization of her eco-

nomic strength for Germany's foreign political interests." Any foreign policy worthy of Germany, they contended, should insist on a revision of the Versailles Treaty, the return of the German colonies, protection of and close ties with Germans living outside the Reich and the maintenance of armaments in keeping with Germany's military past and adequate to protect her political and economic interests in any quarter of the globe. Stresemann's Locarno and League policies were also severely scored. On the domestic side they advocated the strengthening of the President's authority, the cultivation of a strong German patriotism, the suppression of all non-German elements, particularly the Jews, restricted immigration of all non-Germans, a close union of Church and State, clerical control of education, a strengthening of the rights of private property and governmental aid to agriculture.

The German People's Party, successor of the old National Liberal Party and composed for the most part of large industrialists and middle-class voters, supported the conciliatory policy of Stresemann, its leader, but insisted that the peace treaties were unjust and ought to be revised. While much more moderate in its demands than the Nationalists, it would like to see the restoration of many of the symbols of the old régime, including the old imperial colors, black, white and red. During the campaign it was outspoken in its opposition to the immigration of foreigners into Germany on the ground that it desires "to keep the German people German." In the field of industry it held firmly to the right of private property and inheritance, and was bitterly opposed to all schemes of socialization. Strongly nationalistic, it advocated a protective tariff, but was not against the internationalization of cartels and economic combines.

Because of its Left and Right wings the program of the Centrists is very general. During the campaign it upheld Stresemann's policies, was outspoken in opposition to State control of education and asserted its loyalty to the Republic and to the present Constitution.

The Bavarian People's Party, an offshoot

of the Catholic Centre, stressed in its platform the importance of protecting each State of the federation against extension and over-centralization of the power of the Reich. In reality the party championed greater autonomy for Bavaria because of its jealousy of Prussia.

The Democratic Party was no less insistent than the Centrist in its adherence to the Weimar Constitution and the Republic. Unlike the Centrist and the parties of the Right, it came out strongly in favor of undenominational schools and the separation of Church and State. While standing for fulfillment of reparation payments and conciliation with France, the Democrats demanded that the peace treaties be revised.

The platform of the Social Democratic Party, numerically the most powerful of all the German parties, stressed its loyalty to the Republic, advocated additional administrative and judicial reforms in the direction of greater democratization and centralization, the abolition of all monarchistic and militaristic organizations, more protection for the workers, separation of Church and State, and the socialization of industry. Like the other parties it advocated revision of the peace treaties, the fulfillment of the reparation program and the building up of more friendly relations with France and Russia.

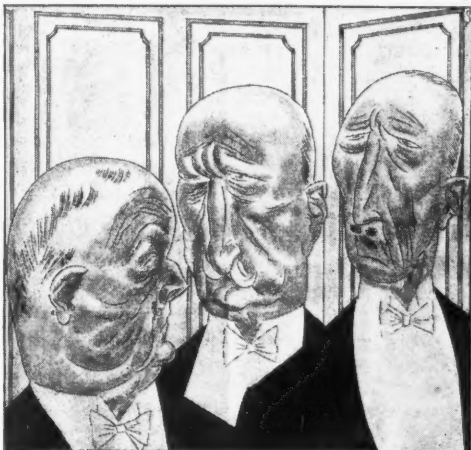
The German Communist Party, which belongs to the Moscow International, waged a vigorous campaign for a dictatorship of the proletariat and increased its poll by 20 per cent., thus establishing itself as numerically the fourth strongest among the Reich's national parties in parliamentary representation. In Berlin, the Communists polled 600,000 votes, or one-quarter of all the ballots cast, an increase of more than 60 per cent. over their total of four years ago. Incidentally their gains were made at the expense of the Socialists and the Centrists.

The Nationalists lost, not only in the urban centres but in the country districts where they were most powerful. In the State of Mecklenburg-Strelitz they polled one-third less than in the 1924 election and in the Brunswick area more than sixty per cent. less. The Socialist increase reached 50 per cent. in Brunswick. In the Rhineland the Nationalist defeat was equally marked. Throughout the agricultural regions of Hesse and the Palatinate the reactionary factions vote was cut almost in half.

In their zeal to chastise the conservative parties the German voters went to the ex-

treme Left and weakened the Centre parties, thereby making a coalition government harder than ever to create. Of the middle parties, Stresemann's People's Party suffered least. The Democrats suffered the fate of liberals in every country and showed a further decline in their following. One of the most striking features of the election was the weakness of the Centre Party in the Rhineland. This Catholic party actually lost seven seats in the Reichstag, a most unusual blow to this the most stable of all German parties. Its losses were due to the defection of Roman Catholic trades unionists in the Ruhr and the Rhineland, who voted in large numbers for Socialists or Communists in order to express their displeasure at their leader, Chancellor Marx, for forming an alliance with the reactionary Nationalists.

That Germany will again be governed by a coalition is obvious. In all probability it will be composed of Socialists, the People's Party, Democrats and the two Catholic parties—the Centre and the Bavarian People's Party—with a Socialist Chancellor, probably Hermann Mueller, and with Stresemann as Foreign Minister. Commanding 300 votes, such a coalition would be certain of a clear majority in the Reichstag. Trouble will come in an attempt to find a common platform on which Socialists and the People's Party—a party of German industrialists—can stand. The Socialists undoubtedly will be insistent in their demands, since they alone will be stronger in



REPUBLICANS

"This democracy is awful! We have to be elected by persons whom we would tolerate in our homes only as stable boys."

—*Simplicissimus, Munich*

the Reichstag than all the other parties in the coalition combined, and the impressive show of strength by the Communists in the election will make the bourgeois parties heed the Socialists' request.

The population of one of Hamburg's suburbs experienced a foretaste of what prophets say will be a common feature of future wars when, on May 20, a monster tank containing phosgene gas, one of the deadliest poison gases known, exploded. The gas spread through the town and neighboring cities and drove 10,000 citizens from their homes. Eleven persons were killed and 250 treated in hospitals.

That the new German unemployment insurance law, which came into force on Oct. 1, 1927, is functioning successfully seems indicated by a report of the first three months of its activity issued by the Department of Unemployment Insurance and Labor Exchanges. The average number of workers contributing was 15,810,000 and the average number of persons in receipt of unemployment benefit or employed on relief work was 780,000. The total number of workers contributing was 15,810,000. The receipts for the quarter amounted to 196,000,000 marks (worth 23.8 cents each), of which 190,000,000 marks was derived from the contributions of insured persons and their employers, being equivalent to an average monthly payment of 4.02 marks per insured person. The expenditure for the quarter amounted to 146,000,000 marks, of which 122,000,000 marks went in unemployment benefit, 7,000,000 marks was devoted to measures calculated to prevent or reduce unemployment and 17,000,000 marks was taken up by the cost of administration, including unemployment exchanges. The emergency relief provided for by the act and contributed by the State and local authorities amounted to 33,000,000 marks. Of the 780,000 persons in receipt of benefit, 580,000 received ordinary insurance benefits, 150,000 received emergency allowances and 50,000 were employed on relief work. Persons in receipt of insurance benefit or emergency allowance also received family allowances for persons dependent on them. The average number of dependent persons was 770,000. The average amount of benefit received per worker was 76.81 marks.

The German railroads during the last fiscal year, according to a report published on May 22, after paying 590,000,000 marks (about \$135,700,000) interest on reparation bonds, together with several hundreds of millions for other expenses, managed to

realize a net profit of nearly 235,000,000 marks (about \$54,050,000).

The German Government lost its case before the special arbitral tribunal on May 29 on the contention that the net proceeds of the liquidation of properties, rights and private interests of private German citizens which have been or may be liquidated by the Allied Powers in conformity with the Versailles Treaty, be set to the account of the annuities provided by the Dawes reparations plan.

AUSTRIA—Considerable excitement was caused in Central Europe when on April 26 Bela Kun, former Communist dictator of Hungary, was arrested in Vienna. Although he had been in Austria only two weeks, he had already opened headquarters in a camouflaged drug store. Two truck loads of documents, which the authorities declared revealed his intention of starting a new revolution in Hungary, were seized. He was placed under arrest on the triple charge of re-entering the country illegally, plotting, and registering under false names. Hungary has demanded his extradition, and Soviet friends are naturally trying to save him.

Serious rioting occurred on May 24 at

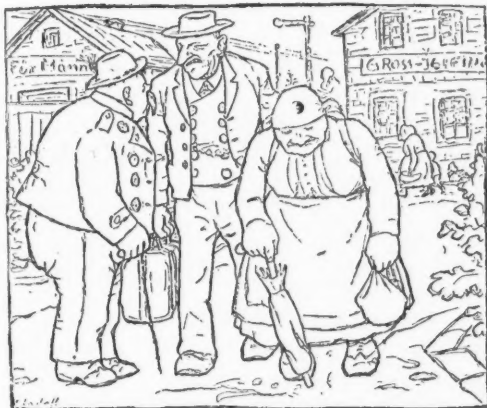


THE EX-KAISER'S IDEA

"What does your majesty think of the German elections?"

"I can not understand them at all. The means of making the German people happy again rests with me alone."

—Ulk, Berlin



THE JUST MAN

"I never vote—I pay for my own beer."
—*Simplicissimus, Munich*

Innsbruck, Austrian Tyrol. It centered about an attack on the Italian Consulate, where the Italian flag was torn down and after a vigorous protest by the Italian representatives, restored to its staff. The flag had been hoisted in celebration of the thirteenth anniversary of Italy's declaration of war on Austria. Eight ringleaders were arrested.

Failure on the part of the United States Senate to pass the measure, supported by Secretary of the Treasury Mellon, for the United States to agree with the other great Powers to give a new international loan of 100,000,000 marks to Austria priority over the earlier relief granted to Austria through the League of Nations, caused bitter disappointment in Austria. In the Austrian Parliament during the last days of May Premier Seipel, outlining the Government's position, said Austria needed the loan badly for important constructive enterprises, but fortunately, even without it, was in a position to carry on by various economies until the new year, when he hoped the United States would act favorably on it. But America is not the only stumbling block. Italy, Dr. Siepel declared with remarkable frankness, had also made difficulties because of the "regrettable tension" that exists between the two countries. Discussing Seipel's declaration, Otto Bauer, the Socialist leader, emphasized the necessity that Austria have more liberty in arranging her own finances. He sharply criticized the fact that the present loan had been

held up by the terms of the previous loan, which, he asserted, was not a real loan but merchandise sold to Austria at prices fixed by foreign countries. On the whole, the Socialist standpoint was that the delay on the loan constituted a defeat for the Government's policies. The pan-Germans made the most of the debate to argue that union with Germany was the only real solution of Austria's problems.

HOLLAND—Efforts by more or less camouflaged Communist organizations to win recruits among members of the Social Democratic Labor Party of the Netherlands, under the guise of combating colonial oppression or raising funds to aid strikers and suffering workers in general, received a decided setback at the Easter convention of that party, when a resolution was passed stating that membership in such organizations was incompatible with Socialist Party policies. Dutch Socialists belonging to the League Against Colonial Oppression, the Unity Group, the Red Aid and similar Moscow-inspired bodies would have to choose between them and their party. The secretary's report showed steady growth in the membership of the Socialist Party, the number on March 31 being put at 52,206, against 46,169 on Dec. 31, 1927, and 43,196 on Dec. 31, 1926. The Socialists have twenty-four of the one hundred members of the Lower House of the States-General. The convention approved a plan for closer cooperation with the trade unions in both the political and industrial fields.

In spite of assertions by Dutch Government organs at The Hague that no signs linger in the Dutch East Indies of the rebellion of November, 1926, the Javanese press reports that propaganda inspired by the Communist International of Moscow is still at work in the islands, where quite recently Bali was the centre of serious disturbance. Though the island press indicates that the Government is unable to cope with Bolshevik propaganda from the outside, it has been more or less successful in diverting the attention of the people to nationalism, which it is presumed to be encouraging. To this end a project to establish a nationalist element in the Volksraad (People's Council) has been instituted by the Government. This measure is viewed with apprehension by Javanese merchants, but the Government professes to see no danger in it.

Opposition to Mussolini's New Electoral Bill

By ELOISE ELLERY

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AN outstanding event in Italy during the last month was the manifestation of opposition in the Senate to Mussolini's new electoral bill (see *CURRENT HISTORY* for May, 1928, pp. 202-204). This bill abolishes universal suffrage and provides for a Chamber whose members are chosen by the Fascist Grand Council chiefly from lists submitted by the confederations of syndicates. It thus becomes rather a consultative than a legislative body.

The bill was passed by the Chamber on March 16 with only two dissenting votes. But when it came before the Senate on May 12 the extent of the opposition aroused against it showed that a number of Senators still regarded the Senate as a place for free legislative action. Senators Ruffini and Albertini led the protests against the measure. The basis of their argument was that it was not in accord with the fundamental law of the land as set forth in the Sardinian Statuto of 1848. The Grand Council, they contended, was a body unknown to the Constitution, and the whole form of government contemplated in the proposed bill was not representative, and therefore not constitutional.

The reply from the official sponsor of the bill was to the effect that men who held such views were entirely behind the times and so out of sympathy with the present régime as to be incapable of understanding it. Circumstances had changed, the sovereignty of the people had given way to the sovereignty of the State, and the new measure instead of overturning the Constitution was only supplementing it. These arguments were taken up by Mussolini, who spared his opponents neither scorn nor sarcasm. The new organization of the State on an economic basis demanded new laws, he declared. In any case, how could a people confronted with thirty-five lists presented by thirty-five parties exercise its sovereignty? If the Statuto was modified, what of it? The laws of religion alone are immutable and eternal. The Statuto was not the decalogue of Moses, and the Italy of '48 was not the Italy of today. In spite of all Mussolini's efforts, however, 46 of the 207 votes cast were against the bill.

Not only did forty-six Senators vote

against the bill but, it was pointed out, 100 Senators failed to attend the session, in spite of being summoned by Mussolini. Further, there was the possibility, it was said, that future Governments might refuse to recognize any act of the present régime from the date of this bill, on the ground that the acts of the Fascist régime are unconstitutional. This objection was stressed by Signor Francesco Nitti, former Premier of Italy and now an exile in France. In a vehement attack on Fascism, he declared:

For the past six years the Italian Constitution has been submitted daily to new violations and new outrages on the part of the armed minority, which, by force of arms, seized the Government in 1922. But now the Constitution has been openly abolished. There had existed, if only in appearance, the Chamber of Deputies and the Senate. The new law has abolished the Chamber, or, even more serious than simply abolishing it, has transformed it into a gathering of individuals not elected by the Italian people but named by the Fascist Party.

The old Italian Constitution of 1848, which in eighty years created a new Italy, was moderate and conservative. It confided to the King the task of naming the Senators and to the people the election of the Deputies. After violating the Constitution for six years the Fascists have now abolished it. The people have been robbed of all their rights and all their constitutional guarantees. They began by imposing a law which, without violating the letter of the Constitution but violating its spirit, assured a majority in the Chamber for the organized minority. Nevertheless, the Chamber had a courageous opposition. The artificial majority then annulled the mandates of 153 Deputies, and after expelling others, took away their Italian citizenship. That done, the régime could function without opposition. The Senate, at the same time, by the addition of new names, was converted into a timorous body. Yet forty-six Senators opposed the abolition of the Constitution, and that at the danger of their lives.

The argument which the chief of the Fascist Government found to justify the abolition of the Constitution is that Italy today is not the Italy of eighty years ago. After having given so many proofs of intellectual power and vitality we see that Italy, at the end of six years of Fascist Government, is reduced to the point of being unworthy of the Constitution of our grandfathers, which gave the greatest powers to royal Government.

Opposition to Fascism from Socialism and Communism has been dealt with se-

verely since the Milan bomb outrage. On the presumption that the crime was of anti-Fascist origin the Fascist police made wholesale arrests throughout Italy of Socialists, Communists and anarchists. According to Filippo Turati, the Socialist leader now in exile, many innocent opponents of the present régime are being arrested. A recent law makes them subject to trial before a special tribunal consisting of officers of the Fascist Militia, who have power to deprive the accused of free choice of counsel and to keep secret until the day of the trial the nature of the evidence against them, and to carry on the trial in secret. Appeal has been made to the Italian Government that this law be not enforced.

Another change in judicial procedure is involved in the modification proposed by the Council of Ministers affecting the Senate. Instead of the entire Senate sitting as a court in cases of impeachment and other cases of a political character, a committee of fifty is to be elected by the upper house to serve as a court—thirty of those elected to be active judges and twenty substitutes.

In foreign affairs interest was centred on the speech delivered by Premier Mussolini before the Senate on June 5, in which he took up the countries of the world one after the other and reviewed the relations of Italy with each. The speech was notable not only for its wide range but for the moderation of its tone. Its moderation was evident even in the case of Yugoslavia, with which country considerable tension exists owing to the recent anti-Italian demonstrations there in connection with the proposed ratification of the Nettuno convention. These demonstrations seem to have been based in part on the fear that the convention would eventually give Italy control of the entire Dalmatian Coast. In some cases they reached the length of attacks on Italian consulates. In referring to the matter Mussolini stated that the Italian Minister at Belgrade had made formal demand for satisfaction, that reparations had been granted by the Yugoslav Government, and that the incident from a diplomatic point of view was closed. He added:

In this immediate and loyal acceptance of the Italian request Marinkovitch (the Yugoslav Foreign Minister) showed good-will in reviving that friendly policy which Italy, on her side, sincerely wishes to follow, not only in the interests of the two States but in the interest of European peace.

Turning to the relations between Italy

and France he declared that they had been much improved. It was proposed to seek a treaty of friendship, leaving points which gave rise to controversies to be settled by a series of protocols. These points were the position of Italy at Tangier, the status of Italians at Tunis and the rectification of the western frontier of Tripolitania. "Our relations with Austria," he continued, "are diplomatically correct, but it depends on Austria to reach a degree of greater cordiality." Greater amity, he hoped, would also be developed with Germany.

In the portion of his speech dealing with the United States the same conciliatory attitude was evident even in his reference to the matter of naturalization:

In North America there is an important State stretching from the Atlantic to the Pacific, with 120,000,000 inhabitants, with unbounded wealth, with a gigantic capacity for work and with exceptional technical and scientific progressiveness—the United States.

The Republic of the Star-Spangled Banner has since the war played a very great, if not preponderant, rôle in world history. The financial hub of the world has shifted from Europe to America. The United States has credits aggregating \$12,000,000,000 in all countries of the world, especially Europe. American initiative seems determined to conquer Europe.

Study this phenomenon about which numerous books have been written. It would take me too far. Besides, the phenomenon is taking place before our eyes in many different forms, ranging from philanthropy to farming, and from science to industry. It is impossible to foresee to what point the bow of American desire for power will be bent or what resistance it may encounter.

For what concerns Italy, our relations with the United States have been in recent time distinguished by three events—the debt settlement, Italy's refusal to participate in the naval disarmament conference, and signature of the conciliation and arbitration treaty.

Before leaving the subject of Italo-American relations, I wish to touch on two questions which occasionally arouse polemics and exercise American public opinion. Immigration restrictions and Italy's quota—though we are sorry for the reasons which prompted this legislation—leave us quite indifferent. The Fascist Government follows a policy of voluntary restriction of emigration. Whether the Americans maintain or modify their immigration bill is an affair which concerns them alone.

As for the naturalized Americans of Italian origin, they are American citizens and therefore foreigners as far as we are concerned. We limit ourselves to hoping that they will continue to be proud of their Italian origin.

Secondly, all discussions concerning our foreign Fascist sections cease after publication of the statute relating to foreign Fascist extensions, which I myself dictated and which lays down precisely the duties of these organizations, whose utility is undoubted when they are—as they must be—

composed of gentlemen who honor their distant fatherland by work, discipline and personal dignity.

On May 19 Premier Mussolini's reply to Secretary Kellogg's proposal for a multilateral treaty outlawing war was received at the State Department. The note offered "cordial collaboration," but made no reference to either the American or French draft treaties which are before the Powers as the basis of negotiations.

Friction between the Vatican and Mussolini has been increased, according to the *Osservatore Romano*, the Vatican organ, by an order to the students of the University of Rome to remove the badges of the Catholic University Federation. Although Mussolini's decree dissolving the organization of the Catholic Boy Scouts is said not to apply to cultural societies, his attitude has been very trying to the university authorities.

On May 24 Italy celebrated the thirteenth anniversary of her entry into the World War. It was also Colonial Day, dedicated,

according to Mussolini's orders, to the awakening of a "colonial conscience" in the Italian people. Much was made of the conquest over Arab rebel forces in Tripoli and Cyrenaica, and especially over the part in this conquest played by the aviation service.

SPAIN—The commission named by the new Constitutional Assembly to draft the text of the proposed Constitution has completed its work and prepared a draft for submittal to General Primo de Rivera. Although the nature of the document has not been formally disclosed, it is understood that the plan provides for the organization of the nation on a corporative instead of a parliamentary basis and a representative Assembly with consultative powers only. [See the article, "The New Spanish Constitution," page 644.]

Spanish Socialists and trade unionists, on the other hand, seek as their goal a Parliament which shall be responsible and the abolition of the monarchy. Meanwhile, as immediately practical changes, trade union leaders have presented a petition to the Spanish Government asking for the carrying out of the provisions for an eight-hour working day, a campaign for the reduction of the cost of living, the construction of workers' homes at low cost, the protection of tenants, unemployment insurance, maternity insurance and an amelioration of the economic hardships of the agrarian and farm workers. Primo de Rivera was reported to have promised to try to grant these requests.

Rumors have been circulated and subsequently denied by the Vatican that King Alfonso was seeking an annulment of his marriage with Queen Victoria. The reason for such action on the part of the King was supposed to be a desire to have an heir by another consort who would be able to succeed to the throne, as his sons by his present marriage are alleged to suffer from haemophilia, a condition which puts them in constant danger of fatal hemorrhage, and so renders them unfit for the succession.

PORTUGAL—President Antonio Carmona is reported to have difficulty in carrying on his Government, owing to the fact that his Cabinet consists largely of men who have not served in former Cabinets and who are therefore more or less unknown. It is reported that he wished to include some representative monarchists in his Cabinet, but that strong objection from the army had stood in the way.



THE DANCE ROUND THE ROMAN WOLF

The large number of visits paid by foreign statesmen to Rome makes one think that they wish to form alliances with Italy, which must eventually alter the face of the whole European situation.

—Kladderadatsch, Berlin

Rumanian Government Unshaken by Peasant Protests

By FREDERIC A. OGG

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TO paraphrase the old saying about the Duke of York, 200,000 Rumanian peasants marched to Alba Julia on May 6 and then marched home again. The crusaders were members of the Peasant Party, drawn from all sections of the kingdom, and they made their long and arduous journey to the agreed meeting place in the mystic hope and expectation that their leader, Dr. Maniu, had some definite solution to offer them for the hardships, moral and material, which they were suffering at the hands of what is often, and perhaps correctly, termed Europe's most corrupt Government. Many—notably the Petroseni miners—came equipped with arms and explosives, prepared for any emergency, and no doubt expecting that forceful measures were to be employed.

The outcome was disappointing to the participants. Dr. Maniu was found to be contemplating no act of violence. When the younger and more spirited leader, Dobrescu, undertook to harangue the "congress" in fiery language, the chieftain pulled him from the Speaker's stand with his own hands. Other enthusiasms were frowned down, and a proposal for a march on Bucharest was firmly vetoed. Resolutions drawn up by Maniu himself and demanding that the Bratiano Ministry resign, or, in lieu of this, that the Regency dismiss it, were passed, and the author was instructed to present them at the capital. But when this rather uninspiring action had been taken, the throngs were commanded by their leader to go home. Many lingered irresolutely, but, lacking organization for any other purpose, eventually drifted away.

The net result was considered unfavorable to the peasant cause. Appearing at Bucharest, Dr. Maniu declared that the fight against the Government had only begun. But he had unquestionably lost prestige; and the escapades of Prince Carol in England gave Bratiano a fresh chance to pose before the country as the only man who stands between it and the alleged plan of Carol to retake the throne and return a part of Transylvania to Hungary. Taking

advantage of the Alba Julia demonstration, the Government, indeed, tightened the censorship and ordered a new series of arrests.

During succeeding weeks the situation continued tense. Though baffled by the Government's firm grip and perplexed by the uncertain quality of their own leadership, the peasants kept up heated protest; and though it was reported that the Bucharest authorities had sternly forbidden further demonstrations such as that at Alba Julia, no one could be sure that another march might not be undertaken, or that, in such an event, Bucharest itself would not be the objective. On May 30 was announced, indeed, not another popular mass meeting, but a plan for organizing a rival National Peasant Parliament, to be composed of the party's Deputies and Senators now in Parliament, and also all the National Peasant candidates who lost in the last election through alleged Liberal terrorism.

To add to the uncertainty, a strong republican movement recently got under way in Transylvania, winning the support of many Rumanians elsewhere, especially such as have lived in America. Well informed observers believe that if the Liberal Party persisted in its policy of repression, a fire would be kindled which would consume not only Bratiano and the Regency, but the dynasty itself.

Meanwhile, one phase of the general Rumanian situation of deep interest to the United States has taken a turn for the better. Late in May it was announced that assurances had been given by the Rumanian Minister of Foreign Affairs, M. Titulesco, and the Rumanian Minister at Washington, George Cretziano, that "all necessary measures have been taken to protect Jewish life and property." In consequence, the American Jewish organizations signified their full approval of Rumanian efforts to raise a loan of \$60,000,000 in this country for the purpose of stabilizing the currency.

YUGOSLAVIA—Relations between Yugoslavia and Italy continued to absorb much attention during recent weeks. The

outstanding event of early May was a debate on foreign policy which took place in the Skupstina following Foreign Minister Marinkovitch's reply to written questions of the Opposition leaders on Italian intentions in Albania and the steps which the Belgrade Government intended to take to maintain Albanian independence. M. Marinkovitch declared that he had no information which would lead him to conclude that Italy was preparing to declare a customs union with Albania and eventually a protectorate over her, and that any attempts in this direction would stir the opposition of the Great Powers, since all are signatories of treaties on which Albanian independence reposes. To the suggestion that the League of Nations should be called in to settle the Albanian question, he replied that resort to the League should be had only when normal diplomatic methods had been tried in vain. The debate brought out many strong anti-Italian declarations by Opposition members.

Later in the month Belgrade and other Yugoslav cities became the scene of anti-Italian demonstrations exceeding anything of the sort witnessed in the Balkans in recent years. The immediate occasion was the threatened ratification by the Skupstina of the Nettuno conventions permitting Italians to acquire land along the Yugoslav coast for a distance of thirty miles inland. These conventions were signed nearly three years ago, and the long delay in their ratification at Belgrade has considerably ruffled their chief author and promoter, Premier Mussolini. The Yugoslav Government, including the Skupstina, has of late been favorable to ratification. But large portions of the people and an important section of the press have been violently opposed, and when, during the last week of May, it was understood that ratification might take place almost immediately, public manifestations of displeasure broke out from one end of the country to the other.

To the accompaniment of "Down With Mussolini!" "Down with Italy!" Italian consulates were stormed and Italian flags burned; while at Zara and other places on the Dalmatian coast Yugoslav consulates and places of business were similarly assaulted. Street fighting occurred at many points—sometimes between Yugoslavs and Italians, but often between Yugoslav police and demonstrators (many of them students) against the Nettuno agreements.

The inevitable protests and demands were made on both sides through diplomatic channels. Signor Bordero, Italian Minister

at Belgrade, presented a written protest demanding, among other things, exemplary punishment of the Yugoslav authorities in the affected districts for alleged laxity. The Yugoslav Government promised that every effort would be made to prevent further outbreaks, but presented counter-charges citing Italian hostility and brutality toward Yugoslavs living in Italian Dalmatia. Heated debates took place in the Skupstina, where the Government was charged with having abjectly capitulated to Mussolini and with encouraging the police in "gagging the people in their legitimate desire to give expression to their indignation over a repugnant treaty"; and finally the Government, at its wits' end, adjourned the House until June 8. King Alexander abandoned a vacation because of the disturbances. New demonstrations against Italy were reported on June 7, as well as anti-Yugoslav disorders in Zara, Dalmatia.

GREECE—One of the most interesting pieces of news that came out of South-eastern Europe during the month of May was the return of the Greek statesman, Eleutherios Venizelos, to public life after some six years of complete retirement. The event was formally announced by the "Old Man of Crete" himself, in a statement issued on May 21, saying that he felt compelled to recall his earlier renunciation, and serving notice on both opponents and supporters that he was going to assume the leadership of the Liberal Party. The step was taken, he asserted, because his hand was necessary to preserve law and order and to prevent the country from drifting into disaster.

Most observers of Greek affairs heard of the decision with regret, because it seemed likely to lead to a revival of the bitter factional strife and the system of government by *coup d'état* from which the country was believed to have made a happy escape after the downfall of the dictator, Pangalos, two years ago.

The re-entry of Venizelos into the political scene did, indeed, have the effect of precipitating a reorganization of the Cabinet, though it was not clear that other unsettling results would follow. The act was intended to be a direct challenge to the Liberal Party's existing nominal leader, the Finance Minister Kafandaris, who promptly resigned from the Cabinet and was followed by five other members. Premier Zaimis was able, however, to replace the deserting members with other men.

Prohibition and Disarmament Issues in Sweden

By MILTON OFFUTT

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PROHIBITION and peace absorbed the interest of the people of Sweden during the last session of the outgoing Riksdag. Though the more serious and politically minded declared that neither should be a major issue and pointed to the need for grave consideration of many worthy and involved questions, with a general election scheduled for the Autumn, alcohol and disarmament remained the burning issues.

The existing Government of Sweden drew its chief support from the most rural group of that rural nation, the *Bondeförbundet* or Farmers' League. The old Riksdag contained among its members more farmers, laborers and country schoolmasters than any other Parliament of Europe except that of Russia. Consequently it gave much of its attention to agricultural affairs.

Total abstinence was another favored project of the agrarian group. With the cities inclined to insist upon the continued consumption of spirits, this issue, as a whole, engaged more public notice than any other. One position, held by the agrarians, declared for total abstinence and drastic penalties, while the other, stoutly maintained by the proponents of moderation, was working to prolong the existing situation, called the Stockholm system, under which every taxpayer was entitled to buy not more than four liters of spirits each month. Figures brought forward by both parties showed that the consumption of liquor in Sweden during the last ten years had decreased, and each was insistent that this happy result was due to its program. Competent and impartial observers, however, were inclined to give all credit to Dr. Ivan Bratt, the administrator of the Spiritcentral, who had shown great wisdom and moderation in his important office. It was, then, a matter of the greatest surprise and regret when Dr. Bratt announced his resignation from his post as head of the liquor monopoly. This news was followed by the publication of his intention to visit the United States early in 1929 to study the effects of prohibition, and possibly, to deliver some lectures.

The reduction of armaments coupled with some sort of neutrality agreement which would protect small nations during a future

war was the subject of next importance in political discussions. A drastic reduction was begun by the Socialist Government when last in office, and was continued by the existing ministry. It was brought into prominence by the action of a prominent staff officer of the Swedish army, Major K. A. Bratt, who resigned from his post because he could see no purpose in continuing the old-fashioned methods of preparing for national defense.

Major Bratt contended that more and more soldiers of intelligence were convinced that the next war would be fought in the air and would be ruthless toward troops and civilians alike. In published articles and lectures he put forward his conviction that such a war, when it came, must annihilate European civilization unless a compact between all the great and small Powers should guarantee a gradual and general disarmament. His contentions aroused wide and immediate interest and brought him bitter enemies and many more strong supporters, for his arguments, backed by recent expressions of several European military authorities, were convincing. A definite opinion seemed to be forming that the League of Nations should once more consider the old question of disarmament in a new and practical spirit.

An outgrowth of the wide discussion of disarmament was a renewed interest in the possibility of a combination of the three Scandinavian countries, all of them small, prosperous and anxious to avoid any future war. Suggestions were made in influential groups that the proposal for a "Scandia Major" made by the Scandinavian press representatives at their meeting at Malmö in 1927 should be put into effect.

Commercial and cultural relations between Sweden and Estonia were strengthened by the decision to create an Estonian Legation at Stockholm, to be headed by Dr. F. Akel, former Estonian Minister of Foreign Affairs. M. E. Wirgo, who had held the post of Estonian *Chargé d'Affaires* in the Swedish capital, was transferred to Riga.

Swedish interests in Estonia and the other Baltic countries as well as in Russia

were expected to be better served in the future by the opening of a new ferry route between Nynaeshamin, near Stockholm, and Reval, the capital of Estonia.

FINLAND—Discussing political conditions in Finland, M. Väinö Hupli, Financial Director of the city of Helsingfors, on May 12 declared that his country's governmental difficulties were past. The former bitter controversies between parties, he said, no longer occurred. M. Hupli continued:

Communism has decreased steadily and is now not to be taken seriously. The Finnish people are realistic, earnest and thrifty, and do not willingly enter into adventures. Developments in Russia have not encouraged workers in other countries to follow communism. Finland belongs entirely to Scandinavia and not to the East.

Democracy is now stabilized. The minority that ten years ago tried to establish a monarchy now admits that it was a mistake and that everything has turned out well. The present Cabinet, constituted by members of the Agrarian Party, will surely remain until the end of this year; and it might stay on even longer. It sees as its most important task the fostering of agriculture. Its dealings with the Communists are marked by severity, as was the case the last time the country had an Agrarian Cabinet.

M. Hupli, who is a Socialist, was Minister of Commerce in the last Cabinet. He declared that the Socialist régime had been generally satisfactory. The amnesties granted during its term of office relaxed the bitter tension which existed between political groups in the years after the war for independence. After ten years, normal conditions have returned. M. Hupli further commented:

Economic conditions are improving rapidly. There has been no unemployment since the war. Agricultural and industrial production sets new records every year. The accumulation of capital is now greater than ever, especially among the working classes. A favorable economic development is guaranteed because the country has in its forests, which are the largest in Europe, and in other natural resources, great fortunes to be utilized.

General education is on a very high level in Finland. There are no illiterates. Instead the culture of the masses is widening and people take a great interest in science and literature. There are thousands of civic theatres in the country.

M. Hupli stated that prohibition in Finland had increased the prosperity of the masses. "Three-fourths of the present Parliament are decidedly for the continuance of the present restrictions. Penalties for violation of them have recently been

severely sharpened. The most eager friends of prohibition are to be found among the women."

LITHUANIA—The Polish-Lithuanian Commission on Security and Indemnities, which was established at the conference between the two States held at Königsberg in April, adjourned early in May to meet again on June 25. The Polish delegation left Kovno on May 13.

The Lithuanians rejected the Polish draft of a "non-aggression" treaty because, although it made no reference to Vilna, they considered, to use the words of their Prime Minister, that it "foresaw a permanent frontier between Poland and Lithuania." At the time of adjournment it was expected that the Lithuanian counter-proposal would be prepared and offered at the meeting in June.

The discussion on indemnities appeared to have served no useful purpose. M. Voldemaras, the Lithuanian Prime Minister, informed a Polish correspondent on the day of the adjournment that Lithuanian claims would be very high and that he foresaw the possibility that several years of negotiation might be necessary before any settlement could be reached.

Reports from Kovno conveyed the impression that the discussions had again reached a deadlock and that, unless the Economic and Legal Commission, scheduled to meet in Warsaw and Berlin, should produce some more hopeful result, there would be no alternative but another appeal to the League.

The Economic Commission met in Warsaw on May 22. In his greeting to the Polish representatives, M. Zaunis, President of the Lithuanian delegation, spoke cordially. The main effort of the commission was to be directed toward arranging a commercial treaty between the two nations and reaching a solution of the transit problem and the floating of timber down the Niemen to Memel.

On May 26 Lithuania received by proclamation a new Constitution. Its provisions, as expected, included the election of a President for a term of seven years, members of Parliament to serve for five years, and the suffrage to be universal, equal and direct. The age limit for voters was set at 24, and that of candidates at 30.

The city of Vilna, long held by the Poles, who seem no more than ever inclined to give it up to the Lithuanians, was declared to be the capital of the State.

Lenin Principles Triumphant Again in Russia

By EDGAR S. FURNISS

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THE decisive victory of Stalin and his followers over the Trotsky faction last December was generally interpreted by outside observers as a triumph of moderate policy in the domestic affairs of Russia. The Trotsky Opposition had figured before the world as exponents of the pure doctrine of Communism, demanding a modification of policy in the direction of more rigorous restriction of capitalism in the industrial and marketing system of Russia and a suppression of private enterprise among the peasant population. The expulsion of Trotsky from the party and the abject surrender of his colleagues, Zinoviev and Kamenev, appeared to indicate that the Communist Party under the leadership of Stalin was firmly committed to a policy of moderation. It was freely predicted that the economic system of Russia would henceforth develop along lines of modified capitalism, relying more and more upon private initiative, especially in agriculture, and leading eventually to a stable business structure devoid of striking communistic features.

Recent developments of Russian domestic policy, culminating in the new peasant tax law of April 19, furnish grounds for questioning this opinion. Immediately after the destruction of the Trotsky faction, the Soviet Government pressed forward a relentless drive upon the "Kulaks," or rich peasants, to compel them to surrender their stocks of grain at prices fixed by official decree. This action was a violation of assurances given, when the New Economic Policy was adopted in 1921, that trading in grain would be free and prices of farm products unregulated. It was defended at the time as an emergency measure to combat a condition of food scarcity closely approaching famine. But taken in conjunction with other activities it is more correctly to be interpreted as an announcement to the Russian people that the leaders of the Communist Party have not abandoned their hopes for the eventual triumph of Leninism.

In the fields of industry and trade these activities have taken the form of wholesale suppression of the private merchant

and the independent craftsman producing for the market. Upon these two groups of petty capitalists the present Russian Government has brought increasing pressure to bear in the form of destructive taxation and harassing regulation. The result is disclosed in official statistics published in the Workers' Gazette at the end of April. During the fiscal year ended Sept. 30, 1927, 108,000 private enterprises were put out of business. The six months ended April 1 added 70,000 to this number, or 28 per cent. of the total left in existence on Oct. 1, 1927. These developments have a bearing upon the agrarian economy of Russia, since, on the one hand, the multiplication of private merchants has facilitated free trade in grain and assured the richer peasant a flexible price governed by demand and supply; while, on the other hand, the "Kustarni" or private household industries have flourished among this most prosperous of the peasant groups in the manufacture of dairy, textile and leather products. The announcement of the Gosplan, or State Planning Commission, at the beginning of May, that it contemplated an entire elimination of the private business firms by Jan. 1, 1930, was a significant forecast of Soviet policy.

In agrarian economy there has been a similar tendency of government policy to swing toward the left. The forcible seizure of grain stocks during the early winter months was followed by aggressive governmental supervision of winter plowing and planting designed to increase the area and improve the productivity of lands under cultivation. Early spring witnessed a revival of measures to increase the supplies of grain delivered to the cooperatives and the official agencies. The vigor with which this program was being pressed was disclosed by announcements of wholesale arrests of speculators appearing in the *Pravda* and *Izvestiya* during the month of May. Finally the tax law of April 19, adopted in principle by the Central Executive Committee and referred for technical improvement to a special commission of experts, laid down in broad terms a future Soviet policy along lines increasingly det-

rimonental to private capitalism in agriculture.

The new law, aside from the purely fiscal feature of an increase of revenue from 320,000,000 to 400,000,000 rubles annually, is designed to promote class discrimination in the villages. The poorest peasantry, comprising 35 per cent. of the agrarian population, are to be entirely exempt from taxation; the rates for the middle classes are reduced; the "Kulaks," who comprise not more than 12 per cent. of the total group, are to pay 62 per cent. of the entire tax. The significance of these changes was made clear beyond question in the course of the hot debate which preceded the adoption of the law. The spokesmen for the peasants recognized in the new policy a drive toward the extinction of capitalism and private enterprise in agriculture. The zeal with which the Soviet Government is encouraging the spread of collective farming is evidence of the same intention. According to announcement made in the press dispatches of May 20 the number of these collective farmers is steadily increasing. A project for the establishment of 152 State farms of 30,000 to 70,000 acres each in the Steppe Land is in line with these plans for the progressive socialization of agriculture.

In view of these developments in agrarian policy, it was natural that the leaders of the Communist Party should have watched with an anxious eye the progress of grain collections during the month of May. It was not forgotten that the first attempt at Communism in agriculture, during the critical years of 1920-1922, was frustrated by the passive resistance of the peasants, who reacted to the increasing severity of the Soviet decrees by the simple but effective device of reducing the area under cultivation. The result at that time was starvation for the industrial wage earners in whose interests the whole program of Communism was conceived and promulgated. Already there are signs of a similar response to the present policy of the Soviet authorities. Unfavorable weather conditions during the winter had operated as an independent factor to reduce the crop estimates in North Caucasus, Kuban and parts of the Ukraine. It is now known that voluntary restriction of the winter sowing



RED JUSTICE

"We have reached the pre-war acreage of tillage with the aid of the *Kulak* [prosperous peasant]; now we can safely destroy him, using the surplus land to form collective farms, cooperative farms and large State farms."—Stalin —*Evening Herald, Dublin*

by the peasants, though compensated in part by a forced increase of spring cultivation under government supervision, has aroused misgivings among the Soviet authorities. Grain collections for the first half of May have been disappointing, falling far below the government estimates. Opponents of the new tax law during the debate in the All-Russian Congress freely predicted that a revival of coercive measures against the prosperous and successful peasants must result in splitting up the larger and more productive farm units, a transference of lands to the shiftless and inefficient "village poverty," and a general decline in agrarian output. Despite these warnings the Soviet Government has announced its determination to pursue relentlessly its present policy of suppressing the forms and motives of capitalistic production in agriculture.

To many observers of Russian affairs, this unexpected shift of policy toward the left is interpreted as a mere gesture—an attempt on the part of the Stalin group to clear itself of the suspicion of lukewarmness in the Communist faith aroused by its suppression of the Trotsky faction. Whether this is true, it is too early to say; the question of the sincerity of the leaders of Russia can be set at rest only by further observation of their policy. But two definite conclusions can be reached on the basis of the present situation. First, the present coercive policy with respect to the

Kulaks is quite in harmony with strict Communist principles as laid down by Lenin. The success of the New Economic Policy has been conditioned from the start upon its effectiveness in merging into a single community of interest the proletariat of the cities and the great mass of the peasants. Class discrimination within the village, the extinction of middle class peasant proprietorship, the gradual socialization of agriculture are policies vital to the success of Leninism. Secondly, it is obvious that the progressive and self-reliant elements among the peasants hold now, as they have always held, the key to the destiny of Russia. The principal achievements of the Russian Revolution up to the present time have been the release of this group from the semi-feudal oppression of the old régime, and its elevation into a new middle class securely founded upon the institution of private property in land. In undertaking to destroy this solid structure, the Soviet authorities are embarking upon a hazardous enterprise. The attempt may destroy the Communist dictatorship by arousing rebellion among the peasant population. Even if this danger is avoided, the success of the policy may be achieved at such a cost in terms of agricultural efficiency as will indefinitely postpone Russia's economic recovery.

Reports of the proceedings at the tenth anniversary of the Soviet foreign trade monopoly, held at Moscow on April 22, were made available to the public in May. This monopoly is an integral part of Soviet policy. It is used to mobilize the purchasing power of the Russian people which inheres in their exports, for the purpose of promoting importation of those essential capital instruments and raw materials upon which the advancement of Russian industry depends. The practice of centralizing foreign trade in the hands of government officials was begun in 1918, but did not become effective until the blockade was withdrawn two years later. In the fiscal year 1923-1924 the total of Russia's foreign trade had risen to approximately \$500,000,000. Subsequent development is shown in rubles in the following table (the ruble is equivalent to 50 cents):

	Exports	Imports	Total
1924-25 . . .	575,258,000	719,881,000	1,295,139,000
1925-26 . . .	676,620,000	756,332,000	1,432,952,000
1926-27 . . .	770,543,000	712,691,000	1,483,234,000

Exports consist principally in agricultural produce. The effect of the trade mo-

nopoly, together with the prohibitive tariff on consumption articles, is shown by the overwhelming preponderance of machine instruments among the exports. It is noteworthy that the adverse balance of trade which Russia has been obliged, heretofore, to cover by gold shipments or long term credits was wiped out in the fiscal year ending Oct. 1, 1927.

For many years to come the industrialization of Russia must be pivoted upon her exports. Rapid expansion of the factory system is of cardinal importance in Communist thought and policy. This expansion is conditioned upon an abundant and increasing supply of capital equipment. In common with all nations, Russia has but two sources from which to equip her urban industries: the surplus income of her people turned into capital instruments in her own machine-making industries; or the importation of machine equipment from more highly industrialized countries. The first of these alternatives is unavailable because of Russia's total lack of factories devoted to the making of machines. The second, in view of Russia's inability to borrow on long term in foreign countries, requires current payment in the form of exports.

The importance of exports in this setting of affairs, throws into high relief the fact that, whereas the productivity of Russian labor in urban and rural enterprises is now almost equal to the pre-war level, the total of Russia's exports is only about half what it was before the war. Under the Czarist régime a surplus of farm products for export was drawn principally from the large estates of the aristocracy. So great was the poverty of the peasant masses that they were obliged to consume virtually the whole product of their own fields. In other words, Russia's purchasing power in foreign trade in the past was bound up with a system of land tenure which kept the mass of the people upon a very low level of income and enabled a small upper class, by reason of inherited feudal privileges, to gather into their own hands the surplus agricultural product.

It is one of the objectives of Communist leaders to destroy this system of land tenure and to prevent its reappearance, even on a miniature scale, in the form of "Kulak" estates. As they progress toward this goal, and as the proportion of the total agrarian output consumed by the peasants increases in consequence, the surplus available for export must diminish, giving rise to other difficulties.

Palestine, Still the Holy Land of Three Great Religions

By ALBERT HOWE LYBYER

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EVENTS of the last few weeks show clearly that the few thousand square miles of territory lying between the Mediterranean Sea and the Syrian Desert to the north and south of Jerusalem remain for many millions of believers in the three great monotheistic religions either a Holy Land or the one Holy Land of all the world. Between March 24 and April 8 Protestant denominations held a missionary conference in Palestine; the Arabs of Palestine, before and after these dates, have been preparing for their seventh congress; and during April and May there were many meetings and discussions among American Zionists as regard the present and future of the Jewish National Home in Palestine. In the same connection, it may be noted that Pope Pius XI, in an Apostolic Letter of Jan. 6, beginning *Ad perpetuam rei memoriam*, provided for a reform of the Order of the Holy Sepulchre, in which the Pope himself becomes Grand Master, and places under the authority of the Patriarch of Jerusalem the work of this order for the preservation of the Roman Catholic faith in Palestine.

Fifty-one countries were represented at the missionary congress by 214 delegates. Roman Catholics were not invited, inasmuch as an encyclical prohibited them from taking part in non-Catholic congresses. The Greek Orthodox churches also were not represented. The Church of England took part, sending the Bishops of Salisbury and Manchester. Half the delegates came from India, China, Japan, Africa and other non-European parts of the world.

The meetings were held in the magnificent hostel built by the Germans before the war on the Mount of Olives, while the delegates were housed in tents and barracks on the grounds near by. Most of the discussions were in English. A hymn book was used printed in English, French and German. Many questions other than those purely religious were brought into discussion, such as child labor and in general labor problems in all lands, the liquor trade, and so forth.

In utterances of Hindus, Chinese and others came out clearly the movement which

has made great progress of late toward control of churches in the erstwhile mission lands not by foreigners but by nationals. Some delegates were led promptly on to discuss political self-determination. Indian Christians in particular objected as a unit to continued British rule. A delegate from the Philippines told how his fellow-countrymen look forward eagerly to complete self-rule. A Japanese objected to American legislation against the admission of his people, and was promptly followed by a Korean woman who remonstrated against Japan's domination of her land. There was discussion also of the extent to which missionaries should rely upon protection from their Governments. British representatives seemed disposed to claim some protection, while the Americans objected to reliance on any kind of force and desired the dissociation of the missionary movement from any purpose to exploit natives or force Christianity upon them.

Naturally this well-advertised gathering of Protestant Christians provoked comment in the journals of Palestine. The Greek Orthodox journal *Filastin*, which regularly objects to missionary work in the Arab countries, commented unfavorably upon the conference. In its opinion missionaries ought to be preaching to idolators or to their own co-nationals. Missionaries are regularly disposed to work for the political interests of their respective States under cover of religious propaganda. Among the fifty-one nations represented, there was no one from Arabia, Palestine, Syria, Egypt or Iraq. Nevertheless, the journal hoped that the Arab population of Palestine could make an impression upon the members of the congress in the direction of their nationalistic claims. Perhaps, also, the Hebrews would learn from the congress that Palestine does not belong exclusively to them and that Jerusalem is the cradle of Christianity and a very holy spot for Islam.

The Moslem Associations of Haifa, Nablus, Jaffa and other cities sent to High Commissioner Plumer and the Kings of Egypt, Iraq, Nejd, Afghanistan, to the Imam Yahya, to the Shah of Persia and to

the Khilafat Committee of India telegrams of protest against the missionary congress at Jerusalem and against missionary activity in general in Palestine. A letter from Palestine dated May 10 indicates that the meeting of the conference had a serious effect upon internal Arab politics. There was a small riot at Gaza and demonstrations and strikes in various places. A Young Men's Muslim's Association is being organized. The Moslem Christian Associations, which already had grown quite feeble, are asserted to have lost all their remaining semblance of life. With this separation between Christian and Moslem Arabs the plans for summoning the seventh Arab Congress are in abeyance.

Coincidentally with the visit of Dr. Chaim Weizmann, President of the World's Zionist Organization, to America and with a campaign among the American Jews for the collection of an additional \$1,000,000 by the United Palestine Appeal, an active disagreement developed between two powerful and respectable groups of American Zionists. The difficulty appears to follow up the criticisms expressed at the Basle Congress last September against the administration headed by Dr. Weizmann, to which reference was made in CURRENT HISTORY for November, 1927. The chief criticism advanced at this time, particularly by Dr. Stephen S. Wise, was that the Weizmann administration has been too conciliatory and compromising in its relations with the British Mandatory Government. Gross mismanagement in a business way was also charged against Louis Lipsky, President of the Zionist Organization of America. The controversy extended into the Hadassah or Women's Zionist Organization of America. At a special meeting of Hadassah on April 23 a letter from Mr. and Mrs. Nathan Strauss said "that the affairs of the Zionist Organization of America had been administered in a manner not conducive to the cause of the Zionists in this country." The meeting voted confidence in Mrs. Erma Lindheim, President of Hadassah, who lately criticized the present Zionist administration. Mr. Lipsky appeared before the meeting and mentioned as the cause of friction resentment arising from Hadassah's budget of \$600,000 for hospital work being given precedence over the budgets of the Zionist Organization, for which the United Palestine Appeal is raising funds.

At the end of April a meeting was held in Washington of persons who oppose the present Zionist Organization. Judge Julian

W. Mack was chosen chairman and resolutions were adopted as presented by a committee headed by Professor Felix Frankfurter of Cambridge, Mass. The resolutions affirmed "that the present administration has brought the Zionist Organization of America to a condition of disorganization both moral and material. Those who have had the guidance of affairs during the past seven years have dissipated the spiritual resources of the movement. They have not enlisted the Jewish youth of America into Zionism, and they have alienated the confidence of the Jewish women. * * * The fundamental causes for these things are the incapacity of the present administration to exercise moral leadership and inability to translate our spiritual aims into concrete results in Palestine." The resolutions went on to affirm that the policies of the present administration have led to a considerable decline of membership and apathy among those who remained. This, together with administrative extravagance, has led to a financial deficit, which in turn involved the organization in questionable financial proposals and the neglect of Zionist education.

Mr. Lipsky published an answer on May 1, in which he claimed that the criticisms mentioned are "to say the least, a distortion of the facts and grossly misleading." He explained that the American Zionist Commonwealth was organized in 1917 as a Palestine land selling and developing institution, not operated for the profit of its shareholders or of any individuals. It proceeded successfully up to 1926, but suffered seriously from the industrial and financial depression which began at that time, when it became necessary for the United Palestine Appeal to back it up or to cause heavy loss to various American purchasers. An explanation was also given of the difficulties of the Palestine Securities Organization. On account of delays in the process of changing the mortgage bonds from English pounds to dollars, subscriptions dwindled away and a deficit resulted. "It will be shown at the next Zionist convention that the budget as adopted by the Finance Committee, composed of men of large affairs and high standing in the community, was strictly adhered to and any charge of either extravagance or diversion of funds is wholly without foundation." On May 4 Samuel J. Rosensohn announced more detailed charges as regards mismanagement by Mr. Lipsky, and Mr. Lipsky replied. On May 20 500 Zionist workers

met at the Hotel Astor in New York and declared approval of the policies of the present Zionist leaders. Mr. Lipsky, Mr. Maurice Rothenberg and Dr. Weizmann defended the administration. A resolution was adopted praising the officers of the United Palestine Appeal for raising nearly \$2,000,000 since Oct. 1, 1927, in spite of "nation-wide industrial depression and obstacles created by unwarranted adverse criticism."

TURKEY—On May 30 a Turko-Italian treaty of non-aggression, to last for five years, was signed simultaneously in Rome and Angora. The text was not made public, but it is understood that both States agreed not to enter political combinations which may threaten the one or the other; to be neutral in case of a conflict of either with a third party, and to resort to conciliation in cases of differences between themselves. A protocol provides for an arbitration tribunal to assist in settling such difficulties. Final appeal may be had to The Hague. The treaty was somewhat delayed, it is said, because there was talk of a triple agreement between Greece, Turkey and Italy, and because Italy desired to include certain industrial and commercial concessions in Anatolia. Greece, as it seems, could not be brought in because of failure to agree with Turkey over the exchanges of population and property.

EGYPT—The contents of the Public Assemblies Bill, which lately caused so much trouble between Egypt and Great Britain, have been somewhat overlooked because of the excitement aroused. The first seven of the twelve clauses provide for the freedom of public meetings and demonstrations within certain limits, which include forty-eight hours' notice by a committee of at least two persons who will be held responsible for the maintenance of order and the avoidance of anything subversive to public order or morals; representatives of the police or of the Minister of the Interior may be present, though not sitting on the platform, and may disperse the meeting upon request of the committee, or in case of grave disorder. By Clause 8 offenders of these regulations may be punished with not exceeding seven days' imprisonment and \$5 fine. According to Clause 9 persons whether officials, police or private individuals who dissolve, attempt to dissolve or threaten a public meeting in cases not according to the regulations become liable

to imprisonment not exceeding one month and to a fine of from \$10 to \$150. The remaining three clauses are not important. Clause 9 is the one to which the British Government offers serious objection, believing that it would render Egyptian official authority powerless to deal with a demonstration in time to prevent damage.

SYRIA—The election law proclaimed for Syria on March 20 provided that the members of the Representative Council should be chosen by election in two degrees. Townships in the country and wards in the cities are the basis of the first election, in which 100 voters choose one elector of the second degree. Each country and the cities of Damascus and Aleppo constitute units for the second degree. Such larger units choose one representative for each 6,000 voters or fraction over 3,000. Provision is made for the representation of religious groups which have 6,000 voters or which can be combined in groups with 6,000 voters. Electors of the second degree are subject to fine if they fail to vote.

The time during which rebels might submit and take advantage of amnesty was prolonged first for six days and later for thirty days. A certain number of rebels who had been condemned to death or imprisonment were pardoned. Five thousand dollars was sent to Palestine in charge of an official to be distributed to political rebels who might wish to take advantage of the amnesty, but who were in poor circumstances.

PERSIA—A German banker, Dr. Lindemann, has been appointed to succeed the American Dr. Millspaugh as Administrator General of Finances.

The relations between Persia and Great Britain have been improved greatly in the negotiation of a series of conventions which were signed at Teheran in the middle of May. The text has not appeared, but it is said that in commercial matters Great Britain is to receive most-favored-nation treatment. The British agree to the abolition of the capitulations, but an arrangement is provided which allows a British Consul to be present at any trial in which any British subject is implicated. British defendants shall be tried within twenty-four hours, and British residences may be entered only by order of competent judicial authority. Concession has been made also as regards the flying of British airplanes across southern Persia.

Chinese Nationalists Occupy Peking

By HAROLD S. QUIGLEY

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WITH the entry of a few squads of advance guards belonging to the army of Yen Hsi-shan, Governor of Shansi, into Peking on June 5 and the arrival of further detachments on June 8, the primary objective of the Nationalist campaign which began at Canton in the Spring of 1926 was attained. The entry was made without fighting, the Northern forces of Chang Tso-lin having withdrawn on June 3, leaving behind only a force to keep order in the capital. In the suburbs of Mukden, Chang's Manchurian capital, his train was bombed, a number of his guards killed and Chang seriously wounded in the forehead. This incident indicated the possibility that even in Manchuria, which Chang Tso-lin has ruled with an absolute hand ever since the establishment of the republic in 1911, there was hostility to him.

Chang, who had controlled Peking since the Spring of 1926, did not leave without a struggle, but he found the odds against him too great. Both foreign and Chinese influences urged his withdrawal. He may have comforted himself with the thought that his announced object in occupying territory south of the Great Wall had been the elimination of communism and that this object had been accomplished. As "dictator," his self-assumed title, Chang maintained his loyalty to China's treaty obligations, but he authorized the abrogation of the treaties with Belgium and Spain and the collection of surtaxes on the treaty customs rates. Early in May he was already uncertain of his next move. On May 9 he sent telegrams to the civil and military authorities throughout China in which he announced that he had ordered his troops to cease hostilities and that he was willing to leave the question of national government to the people if they could agree on "a fair and impartial decision." This appeared to be a bid for a peaceable settlement on a basis of compromise, but it did not evoke any such result.

The clash between the Japanese and the Nationalist forces at Tsinan did not prevent the advance of the latter northward. It is now known that the Chinese forces actually involved in the Tsinan fighting numbered only about 6,000, the main forces

having been kept out of the city. Chiang Kai-shek dismissed General Ho Yao-tsu, the first Nationalist commander to enter Tsinan, for failing to obey orders to prevent his troops from entering the city. No question was raised as to General Ho's loyalty and it was quite apparent that his dismissal exhibited Chiang's anxiety lest the Nationalists become seriously embroiled with the Japanese and thus be compelled to sacrifice the major objective of their campaign, the taking of Peking. The same anxiety was revealed in the orders given to all commanders under Nationalist jurisdiction to prevent local outbursts against Japanese life or property.

The failure of Chang Tso-lin's feeler for compromise was followed by some rather severe fighting near Paotingfu, capital of Chihli Province, about 100 miles south of Peking. Chang issued a second statement in which he accused General Feng Yuxiang of being leagued with communism and signified his intention of continuing the fight against him, though willing to make terms with other Nationalist leaders. This overture was ignored by the latter, who were gaining victories along the entire front from Shansi to Shantung. However, on May 23 the Northern Army of General Sun Chuan-fang regained the key city of Hoken from Feng's troops. As the days passed it became clear that the Northerners were fighting simply to enable themselves to withdraw in good order and thus to save their guns and supplies. This object they accomplished to a considerable degree.

Beyond a doubt the decisive item in the list of influences that forced Chang Tso-lin to abandon Peking without a conclusive battle was the urgent advice of Japan. It is common property that Japan was consistently opposed to Chang's adventuring south of the Great Wall. His ambition to rule all China involved the draining of Manchuria of silver and the flooding of the region with bad paper currency. His control of Peking was of slight advantage to Japan since it did not give him Central or South China and tended to make him less dependent upon Japan. The general lines of Japanese policy in China were again made clear in a memorandum on May 18,

which was communicated to both the Northern and Southern Governments of China:

The Japanese Government attaches the utmost importance to the maintenance of peace and order in Manchuria and is prepared to do all it can to prevent the occurrence of any such state of affairs as may disturb that peace and order or constitute the probable cause of such a disturbance. In these circumstances should disturbances develop further in the direction of Peking and Tientsin and the situation become so menacing as to threaten the peace and order of Manchuria, Japan may possibly be constrained to take appropriate, effective steps for the maintenance of peace and order in Manchuria.

Less than three years ago Japan intervened between the factions of Feng Yuxiang and Chang Tso-lin to prevent fighting in Manchuria. Today the forces opposed to Chang Tso-lin are definitely stronger than in 1925 and Japan's measures to safeguard her interests are proportionately more extensive. Explanations made to the Ambassadors of the Powers at Tokio simultaneously with the issue of the statement quoted above stated that Japan would "prevent, as far as possible, defeated troops or those in pursuit of them, regardless of whether they are Northern or Southern troops, from entering Manchuria" on the ground that such action was considered "necessary for the protection of the special position of Japan in Manchuria and Mongolia." However, Tokio left to Chang Tso-lin the way open to his home provinces provided he brought in his troops in orderly fashion and did not wait to try conclusions by battle with the Nationalists. By returning to Manchuria he did his country a great service, since he made it impossible for any one to allege that Manchuria was without a head and to establish a new control there. Whatever else Chang may be he is not the pliant tool of any nation and he may be counted on to sustain China's sovereignty in Manchuria.

The non-interference of the Japanese forces in Shantung, the continuance of the Nationalist advance on Peking and the retirement of Chang Tso-lin to Manchuria argue forcibly for the supposition heretofore advanced that the Nationalist leaders had arrived at a *modus vivendi* with Premier Tanaka of Japan. Provided its interests are recognized, Japan is indifferent as to who shall hold title to the Government or Governments of China. Japan has accepted, as have the other Powers, the inevitability of Nationalist success and is disposed to make the best of the new situation. But Japan will not, if possible, sacrifice its eco-



THE BAD MAN

—Brooklyn Daily Eagle

nomic and strategic interests in Shantung and Manchuria. Nevertheless, those interests are tremendous and are the determining factors in Japan's position as a Great Power. Consequently, the importance of avoiding serious hostilities such as might justify Japan in turning economic into political predominance in portions of China is uppermost today in the minds of Chinese statesmen.

The Japanese memorandum of May 18 aroused suspicion and resentment in all Chinese political camps, and in foreign countries there was speculation as to whether Japan intended to declare a protectorate over Manchuria. Any advantage which the Nationalists may have derived from Baron Tanaka's warning to Chang Tso-lin was lost sight of in the patent inference of the Japanese note that Manchuria was not to be regarded as an area for Nationalist operations, that consequently the extension of Nationalist control over the whole of China was impossible. On May 30 the Nanking Government replied to the Japanese memorandum in strong terms:

The Nationalist Government, in view of the commercial importance of the three Eastern provinces and the large number of foreign nationals resident in them, will take proper and satisfactory measures for the maintenance of peace and order, so that both Chinese and foreigners may enjoy full protection. This responsibility rests solely with the Nationalist Government. * * * These measures [announced as contemplated by Japan] not only constitute inter-

ference in China's domestic affairs, but also a flagrant violation of the principle of mutual respect for territorial sovereignty, a principle well established in international law. Such measures the Nationalist Government can never recognize. It is the earnest hope of the Nationalist Government that the Japanese Government, for the maintenance of the permanent friendship of the two countries, will avoid actions that would impair the development of amicable relations.

Quite as significant as this statement was the call of the Shanghai Chamber of Commerce to all chambers within the Nationalist area and also to the Peking, Tientsin and Mukden Chambers to send delegates to a conference for the purpose of agreeing upon ways and means to establish a general boycott against Japanese goods.

An effort to secure an official statement of the views of the American Department of State regarding the Japanese memorandum failed to elicit anything more definite than that the United States regarded Manchuria as Chinese territory and that the Nine-Power Treaty signed at Washington in 1922, by which the signatories agreed to respect the sovereignty, independence and the territorial and administrative integrity of China, as well as to maintain the policy of the open door, applied to Manchuria as well as to the rest of China.

The advance of the Nationalists into the areas contiguous to Tientsin and Peking caused great anxiety among the foreigners and led to the organization of means of defense and plans for cooperative action. At Tientsin there were 12,000 foreign troops, 5,000 of them Japanese, 3,700 American, 1,500 British, 1,000 French and 380 Italian. Americans in the Northern area were advised by the Minister, John Van Antwerp MacMurray, to concentrate at Peking or Tientsin. Admiral Bristol returned to China from Tokio to assist in the preparation of emergency plans. At Peking a force of 2,300 men was available to guard the legation quarter, of whom 450 were Americans, 325 British, 400 French colonials, 1,000 Japanese and 125 Italians. Mr. MacMurray addressed letters to the Northern and Southern Governments calling to their attention the fact that the central point of refuge for several thousand Americans was at Tientsin and that consequently American troops were there for protective purposes. He declared that "lawless, uncontrolled elements, or armed forces cannot be permitted to come into dangerous contact with our nationals in certain prescribed areas" and requested that "only trusted troops and commanders of unques-

tioned loyalty to China's welfare be employed in the event of any operations in the neighborhood of Tientsin." The note to the Southern Government made reference to the murder of Dr. Seymour, missionary physician, at Tsining; the killing of Mrs. W. T. Hobart in unknown circumstances at Taian and the abduction of Dr. Osborn. In a previous note the Minister had demanded of the Nanking Government that it arrest and execute the murderer of Dr. Seymour and punish the officers who had failed to take steps to apprehend the murderer and had permitted the looting of mission buildings. Mrs. Hobart was killed on April 29, probably accidentally, by a bullet which entered her home through a window.

On June 4 the Ministers of the Powers in Peking addressed joint identic notes to Chiang Kai-shek, Feng Yu-hsiang and Yen Hsi-shan, Nationalist leaders, asking them to take note of the probable occurrence of an interim period during which Peking inhabitants would be unprotected and informing them that for this interim period provision had been made by the "elder statesmen," who had invited one of Chang Tso-lin's generals, General Pao, to maintain peace and order in the city. The notes requested that General Pao be permitted to act until he might be relieved in an orderly manner by the Nationalist troops and that he and his men be then allowed to withdraw peacefully.

On May 23 were announced the resignation of Huang Fu, Nationalist Foreign Minister, and the dismissal of General Cheng Chien, commander of the Southern forces involved in the Nanking incident of March, 1927.

Dr. C. C. Wu, former Foreign Minister of the Nanking Government, opened offices in Washington on May 23. His mission was said to be to explain, informally, the position and views of the Nanking Government to the Government of the United States. He was received by Secretary Kellogg for an informal conversation.

The Japanese Government submitted a detailed statement of the clashes which occurred between Japanese and Chinese troops at the city of Tsinan, capital of Shantung Province, between May 3 and 12, to the Secretary General of the League of Nations at Geneva. The statement declared that the intervention was non-political, motivated only by the necessity for protecting life and property and that as soon as this necessity ceased the troops would be withdrawn. Japan had some 15,000 men under arms in Shantung at the beginning of June.

The memorandum was convincing on the whole but failed to establish a sufficiently strong ground for the bombardment of the thickly settled walled city of Tsinan, in the course of which, as the Japanese admit, several hundred civilian Chinese were killed. At the time of the bombardment only 4,000 Chinese soldiers were in the city and they had a legitimate purpose there, that of taking over the task of maintaining peace and order. It was natural that the Nationalists should wish to signify in this way their occupation of so important a city. Their troops were in a different section of the city from that of foreign residence and foreign shops.

The Nanking Government had already dispatched its version of the affair to the Secretary-General and requested both that he summon a meeting of the Council under Article XI, Paragraph 2, of the Covenant, and that the League "shall request the cessation of hostilities on the part of the Japanese troops and their immediate withdrawal from Shantung." It stated its willingness to "agree to any suitable arrangement for an international inquiry or arbitration." The article of the Covenant mentioned, however, confers the right to bring to the Council's attention "any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends," not upon the Secretary-General nor upon *de facto* Governments such as that of Nanking, but upon "each member of the League."

The Japanese Government on May 15 made three demands in consequence of the Tsinan affair: (1) An official, personal apology by General Chiang Kai-shek; (2) the punishment of three subordinate commanders, Generals Ho Yao-tsu, Fang Chen-wu and Chen Tiao-yen; (3) suspension of hostilities, propaganda and warlike activities within twenty li (seven miles) of Tsinan and the Shantung Railway. General Chiang agreed to the second and third demands.

The Nationalist Government sent a note to President Coolidge, calling his attention to the situation at Tsinan and asking the

attitude of the American Government and people toward it. General Fukuda, the Japanese commander at Tsinan, on May 14 authorized two raids by his troops upon the Shantung Christian University, an American institution, with the object of hunting out Nationalist sympathizers.

Considerable attention was given to certain telegrams alleged to have been exchanged between Chang Tso-lin and some of his subordinates on one side and the Tanaka Government of Japan on the other. The Nationalist Government claimed to have intercepted the telegrams which it made public on May 26. The telegrams, if authentic, reveal that Baron Tanaka made an effort to obtain Chang Tso-lin's recognition of the "Twenty-one Demands" of 1915 and also the grant of additional privileges in North China, in return for which Japan was to throw ten divisions of troops into the struggle of Chang Tso-lin to maintain himself at Peking. It is difficult to accept the idea that Tanaka would thus have sought to repudiate the solemn acts of his country at the Washington Conference.

Fourteen girls and three schoolboys, who were arrested as Communists, were executed in Canton on June 8. They died bravely affirming their belief that the future success of communism would be aided by their martyrdom.

JAPAN—Rentaro Mizuno, Minister of Education, resigned from the Japanese Cabinet after a disagreement with the Premier over a previous resignation which Mizuno had withdrawn, as he said, at the Emperor's request. The Premier insisted that the resignation had been withdrawn at his request, whereupon an outcry arose against drawing the name of the Emperor into politics.

A Kobe message of June 5 stated that 50,000 seamen, manning 1,300 tramp steamers, had gone on strike as a result of the breakdown in the negotiations for a higher wage. The principal regular steamer lines were not yet involved as the Seamen's Union had not formally ordered a strike.

An unsuccessful attempt to assassinate Prime Minister Tanaka was made on June 8.



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TO AND FROM OUR READERS

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Professor Edgar S. Furniss

OWING to the resignation of Professor Arthur B. Darling from the Board of Current History Associates on account of the pressure of his other work—a resignation which the Editors accepted with the greatest reluctance—the monthly survey of events in the Soviet Union will, beginning with this issue, be written by Professor Edgar Stephenson Furniss, Chairman of the Department of the Social Sciences at Yale University. Born at Hunter, N. D., in 1890, Professor Furniss graduated with the B. A. degree from Coe College, Iowa, in 1911, and received his Ph. D. from Yale in 1917. For three years he was with the American University of Beirut, Syria, 1911-14, during which time he traveled extensively throughout the Near East making economic and sociological studies which were later published in the form of articles on Syria and Palestine. Since 1916 he has been a member of the faculty of Yale College, teaching economics and political science, except for one year when he was Professor of Economics at Carleton College, Minnesota. He is the author of the following books: *Labor in a System of Nationalism* (1920), *Foreign Exchange and International Finance* (1922), *Labor Problems* (1925), *Elementary Economics* (1926).

* * *

At the commencement exercises of DePauw University, Greencastle, Ind., Professor Fred-eric A. Ogg of the University of Wisconsin was given the honorary degree of doctor of laws. Professor Ogg is editor of the *American Political Science Review*, published by the American Political Science Association, and also of an extensive series of works on political science published by the Century Company. In addition, he has been a member of

the Board of Current History Associates since it was organized in 1923.

The American Geographical Society calls the Editor's attention to an error which appeared on page 463 of the June issue of *CURRENT HISTORY*, in the article entitled "Aerial Achievements of the Month." The paragraph at the bottom of the first column referring to the Wilkins Arctic flight and to the honors conferred upon the successful fliers mentioned the Patron's Royal Medal and that of the Royal Geographical Society, but made no mention of the medal conferred by the American Geographical Society or of that society's connection with Wilkins's work. The Geographical Society points out that

his [Wilkins's] work has been sponsored for three years by the American Geographical Society of New York and this society was the first to award him a gold medal for his recent flight, the Samuel Finley Breese Morse Medal, named after the inventor of the telegraph. The award to Captain Wilkins was the first award of this medal that has been made.

Dr. James T. Shotwell of the Carnegie Endowment for International Peace writes: "In my article, 'The Historian's Answer to the Autocrats,' in the May issue, I was in error as to the founder of the Hochschule für Politik. Instead of being established at the suggestion of Herr Simons, the founder of this institution was Professor Ernst Jaekch, who is the President of the Board of Overseers."

In the editorial columns of the *Arsenal* the following appeared recently:

Probably the best array of quotations and general material compiled during recent years on the question of the attitude of Roman Catholicism toward the civil power and toward non-Catholics is to be found in the March, 1928, number of *CURRENT HISTORY*. There are eight articles on these subjects in that number besides the full and official text of the Pope's

recent encyclical on Christian unity. There is so much there of inestimable worth to Seventh Day Adventist preachers and Bible students that we could not hope to reproduce it all in the *Arsenal*. We therefore would urge all our workers and others interested to obtain the March number of *CURRENT HISTORY*, for you will want to keep these articles in your files.

A CATHOLIC'S CIVIL OATH

To the Editor of *Current History*:

May I submit a few quotations pertinent to the Catholic-for-President controversy. In the *Corpus Juris Canonici*, Leipsic edition, 1830, Vol. II, page 1,159, you will find the following: "No oaths are to be kept if they are against the interests of the Church of Rome." The same thought is repeated on page 358 of this volume: "Oaths which are against the Church of Rome are not to be called oaths, but perjuries." Both passages have a bearing on the oath required of the President on assuming office as well as on that to be taken by Catholic aliens on admission to citizenship. The Rev. F. X. Schoupe in a school book bearing the *imprimatur* of Cardinal Manning says that "the civil laws are binding on the conscience only so long as they are conformable to the rights of the Catholic Church." One may be thoroughly tolerant toward the Catholic religion and yet oppose a Catholic's running for office.

Boise, Idaho.

J. G. PETRIE.

THE EX-KAISER'S DANGEROUS VIEWS

To the Editor of *Current History*:

The publication of the article written specially for your magazine by Wilhelm II in the May issue is really dangerous. In my opinion he has something up his sleeve again. If American civilization has proved a success, why change it for that of an imperialist? The Parliamentary movement is stronger and healthier, and there is no limit to its achievements.

NISSIM S. CADRANANEL.

Los Angeles, Cal.

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World Finance—A Month's Survey

By D. W. ELLSWORTH

ASSISTANT EDITOR OF *The Annalist*

CONDITIONS which developed in May and June make it clear that we are now in the midst of one of the most critical periods in American financial history. That such conditions exist is sufficiently evident to those familiar with the economic history of the United States; the past would furnish dull reading, indeed, were it not for the critical situations that have occurred and recurred with surprising regularity for more than a century.

That the present situation is at all critical will be denied with equal assurance by the rank and file of those who have been mainly responsible for recent speculative excesses. The customers' rooms of brokers' offices all over the country are crowded with people whose only method of selecting "good buys" is the latest tip direct from a vice president of this or that company. There is, it must be admitted, an element of strength in the present situation which has not always been present on similar occasions in the past: brokers (at least in New York, according to reports) are requiring their customers to maintain more ample margins than ever before, and this may partly account for the fact that recent sharp declines in stocks have not resulted in wholesale liquidation.

The stock denial that the present situation is at all critical put out by those who profess to be familiar with "fundamental conditions" is, of course, that with the Federal Reserve System functioning properly the supply of credit is ample for all purposes and that there is therefore no cause for alarm in the tremendous expansion of brokers' loans. This apparently, was until a few months ago, the attitude of the Federal Reserve Board.

REDISCOUNT RATES RAISED

In June, however, the changed policy of the reserve authorities with respect to credit expansion, which has been evident in their efforts to bring about higher interest rates by selling Government securities and by raising the rediscount rates of all twelve reserve banks from 4 to 4½ per cent., became crystallized in what can only be interpreted as a warning to member banks to contract the volume of credit which the member banks have recently allowed to become the basis of speculative activity. This warning came in the form of a statement issued to the press on June 4, well in advance of the customary publication date of the Federal Reserve Bulletin. In this statement the Reserve Board

described the present condition of member bank indebtedness to the reserve banks and closed with the following: "Unless a change occurs in the direction of gold movements, or in the open-market policy of the Federal Reserve System, the only means by which the member banks will be able to reduce their debt at the reserve banks is a sale of investments or a gradual contraction of their loan account."

At this writing it is too early to hazard an opinion as to whether this warning will have any effect in checking speculative activity or whether the stock market will continue to ignore it in the same way in which it has ignored the many other reliable but more obscure warning signals which have been commented upon in these columns, possibly somewhat monotonously, in the last three months. As to the eventual outcome, however, there can scarcely be any reasonable doubt. Since the establishment of the Federal Reserve System the reserve authorities have never yet failed of their object whenever they have once determined upon a policy of credit contraction, and with the free play of economic forces all in their favor there can certainly be no good reason why they should fail now.

RECORD BROKERS' LOANS

Present conditions, indeed, contrary to a view which seems to be widely prevalent, at least in Wall Street, are not primarily the result of the open-market operations of the reserve banks but of the coincidence of such fundamental forces as increased demand for credit for financing increased speculative and business activity and heavy gold exports. Up to the end of the first week in June loans secured by stocks and bonds continued to expand; in that week alone brokers' loans as reported by the New York City member banks rose to a new high record of \$4,563,000,000, an increase of nearly \$94,000,000 in the week and a rise of more than \$753,217,000 since the beginning of the year. In May there was some slackening in the rate of business activity, but the decrease was hardly, if at all, greater than that which is to be expected at the approach of the summer season. The volume of new construction started throughout the country, as measured by the value of building contracts awarded, was larger in May than in any previous month in history, although building activity usually reaches its peak in April rather than in May.

Gold exports, moreover, have as yet shown

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no signs of diminishing, although it is worth noting that high money rates in New York have resulted in an unseasonal decline in Canadian exchange, with the result that gold has begun to flow in from Canada, \$2,000,000 having been imported early in June. In May a larger amount of gold was lost to this country through exports and earmarking than in any other month in history, the decrease in available gold stocks being \$108,000,000. From May 1, 1927, to June 1, 1928, the net loss of gold amounted to \$450,000,000.

GOLD EXPORTS TO ENGLAND

England has recently taken \$30,000,000 in gold from this country, but accounts differ as to whether these shipments were for the Bank of England, which is building up its gold reserves in preparation for the proposed reorganization of the British currency system, or whether they were the result of the recent strength in sterling exchange, which has recently fluctuated so closely at the gold export point that it has been a debatable point whether straight commercial transactions in gold would be profitable. A more important fact, at any rate, is that the sterling exchange rate has held surprisingly well in the face of these shipments and despite the higher level of open market rates here than in London. Further substantial shipments of gold to France are also expected.

The financial world is eagerly awaiting word from Poincaré on the intention of the French Government with respect to the lawful stabilization of the franc. Toward the end of May a rumor that the rate was to be fixed at 110 to the pound caused speculators to buy francs to such an extent that the Bank of France on June 1 was forced to buy about £8,000,000 in sterling to prevent the rate from rising above the level at which it was pegged. Subsequently the rate was suddenly and without warning lowered slightly, a measure doubtless intended to warn overzealous speculators of what they might expect if they continued their tactics.

In Germany some slackening of both industrial activity and trade is reported, despite the fact that in the first part of May the number of registered unemployed decreased from 891,000 to 785,000. German industrial and public utility concerns, and also banking institutions, are again borrowing heavily in this country, several large loans having been floated at the beginning of June.

These and large loans which have also been sold here by Japanese, South American and other concerns suggest that intending borrowers are hastening to put out their bond issues before the American money market becomes still more unfavorable. The present

unfavorable trend is nicely illustrated by the fact that the United States Treasury, in its June 1 quarterly financing, offered a short-term loan of \$400,000,000 at 4 and 3½ per cent., than which so high a rate has not been paid since March, 1924, when Wall Street was still feeling the effects of the tension of the previous year. The problem of retiring or exchanging the Third Liberty bonds which mature next September the Treasury has postponed, perhaps with the idea that the money market will have eased somewhat by that time.

At the moment, however, the short-term money market grows progressively worse. Call money on June 4 touched 7 per cent., the highest since 1921. Time loans on stock exchange collateral on June 7 rose to 6 per cent., also the highest since 1921, and that, too, at the time of year when the rates on such loans are usually lower than at other seasons. Bond prices have declined to the lowest levels of the current year.

STOCK MARKET NERVOUSNESS

Under these circumstances, and with the threat of further increases in interior rediscount rates rumored, the stock market has been in a highly nervous condition, with prices fluctuating so erratically that the trend of the general market has been extremely difficult to follow. Some stocks, such as coppers, motors and various specialties, have risen to new high levels because of certain favorable developments. The rise of copper metal prices to the highest level in several years was naturally a highly bullish factor in the market for copper shares, and the Chrysler-Dodge merger, which is thought to be the forerunner of other similar combinations in the automobile industry, reacted favorably on certain of the so-called independent motor stocks.

As a whole, however, the market just about held its own in May, the volume of transactions being nevertheless so heavy that for the first time in history the governors of the New York Stock Exchange voted to reduce the hours of trading to four instead of five per day in order to enable exhausted clerical forces to catch up with their routine work. The five-hour session was restored, however, at the end of one week.

The New York market has become the centre of speculative attention the world over. The principal foreign stock exchanges have recently been extremely sensitive to developments here, and the several sharp breaks and equally rapid recoveries which have occurred on the New York Exchange have been reflected in similar movements in London, Paris and Berlin.